

ESTTA Tracking number: **ESTTA937767**

Filing date: **11/28/2018**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91232774
Party	Plaintiff Garan Incorporated, Garan Services Corp.
Correspondence Address	ROBERT L EPSTEIN EPSTEIN DRANGEL LLP 60 E 42ND STREET, STE. 2520 NEW YORK, NY 10165 UNITED STATES mail@ipcounselors.com 212-292-5390
Submission	Plaintiff's Notice of Reliance
Filer's Name	Robert L. Epstein
Filer's email	mail@ipcounselors.com
Signature	/Robert L. Epstein/
Date	11/28/2018
Attachments	Pages from 20181128 Notice of Reliance 1-9.pdf(6175359 bytes) Pages from 20181128 Notice of Reliance-5 10-15.pdf(5221520 bytes) Pages from 20181128 Notice of Reliance-6 16-20.pdf(5241720 bytes) Pages from 20181128 Notice of Reliance-7 21-25.pdf(5078100 bytes) Pages from 20181128 Notice of Reliance-8 26-30.pdf(5096615 bytes) Pages from 20181128 Notice of Reliance-9 31-35.pdf(5370994 bytes) Pages from 20181128 Notice of Reliance-10 36-40.pdf(5202713 bytes) Pages from 20181128 Notice of Reliance-11 41-45.pdf(5643421 bytes) Pages from 20181128 Notice of Reliance-12 46-51.pdf(588337 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

_____	x	
	:	
GARAN, INCORPORATED and GARAN	:	
SERVICES CORP.	:	
Opposers,	:	Opposition No. 91232774
	:	
v.	:	Application Serial No. 85511299
	:	
MANIMAL, LLC	:	
	:	
Applicant.	x	

OPPOSERS' FIRST NOTICE OF RELIANCE

Please take notice that pursuant to 37 CFR § 2.122(g) and TBMP 704, Opposers GARAN, INCORPORATED and GARAN SERVICES CORP. make of record and will rely on the following evidence submitted by this Notice:

- Exhibits 1, 2, 3, 4, 5, 6, 7, and 8 are the TSDR records of Opposer's Trademark Registrations, pleaded in the initial Notice of Opposition, relevant to the issues of standing, likelihood of confusion, and dilution.

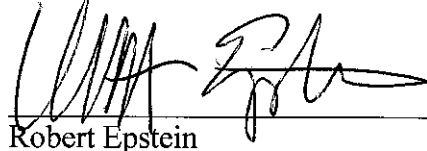
- Exhibits 9 and 10 are relevant documents from the file history of Applicant's U.S. Trademark Application Serial No. 85511299, namely the Consent Agreement and the subsequent Note to the File.

Respectfully submitted,

Dated: November 28, 2018

EPSTEIN DRANGEL LLP

By:

Handwritten signatures of Robert Epstein and William C. Wright.

Robert Epstein
William C. Wright
Kimberly A. Klibert
One Grand Central Plaza
60 East 42nd Street, Suite 2520
New York, New York 10165
Phone: (212) 292-5390
Fax: (212) 292-5391

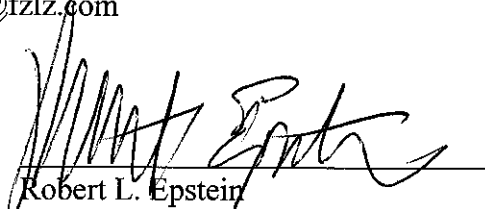
*Attorneys for Opposers
Garan, Incorporated and
Garan Services Corp.*

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the OPPOSERS' FIRST NOTICE OF RELIANCE was served via e-mail on this 28th day of November 2018, upon Applicant's Attorney:

JAMES WEINBERGER
FROSS ZELNICK LEHRMAN & ZISSU, P.C.
4 Times Square, 17th Floor
NEW YORK, NY 10036
jweinberger@fzlz.com

By:



Robert L. Epstein
William C. Wright
Kimberly A. Klibert
EPSTEIN DRANGEL LLP
One Grand Central Plaza
60 East 42nd Street, Suite 2520
New York, New York 10165
Phone: (212) 292-5390
Fax: (212) 292-5391
Attorneys for Opposers
Garan, Incorporated and
Garan Services Corp.

GARAN, INCORPORATED and GARAN SERVICES CORP. v. MANIMAL, LLC -- OPPOSITION NO. 91232774

OPPOSER'S FIRST NOTICE OF RELIANCE

EXHIBIT 1

October 5, 2018

We believe the recent Trademark Status and Document Retrieval (TSDR) outages have been resolved. There is a possibility you may still experience intermittent outages. If you still need assistance accessing a document, email teas@uspto.gov and include your serial number, the document you are looking for, and a screenshot of any error messages you have received.

Starting Oct. 4, 2018, bulk data customers can no longer obtain direct access to TSDR data through tsdrsec.uspto.gov. There are two alternative ways to receive bulk data from TSDR.

Trademark Status & Document Retrieval (TSDR) ?

SEARCH

MULTI-SEARCH ?

US Serial, Registration, or Reference #

954125

Status

Documents

Status results found

STATUS DOCUMENTS MAINTENANCE ? Download Print Preview

Generated on: This page was generated by TSDR on 2018-10-15 14:14:59 EDT

Mark: GARANIMAL

No image exists for this case.

US Serial Number: 72422254

Application Filing Date: Apr. 24, 1972

US Registration Number: 954125

Registration Date: Feb. 27, 1973

Register: Principal

Mark Type: Trademark

TMS Common Status

Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: The registration has been renewed.

Status Date: Feb. 06, 2013

▼ Mark Information

▼ Expand All

Mark Literal Elements: GARANIMAL

Standard Character Claim: No

Mark Drawing Type: 1 - TYPESET WORD(S) / LETTER(S) / NUMBER(S)

▼ Goods and Services

Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [] indicate deleted goods/services;
- Double parenthesis (()) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks "*" identify additional (new) wording in the goods/services.

For: CHILDREN'S SHIRTS AND PANTS

International Class(es): 025

U.S. Class(es): 039 - Primary Class

Class Status: ACTIVE

Basis: 1(a)

First Use: Mar. 28, 1972

Use in Commerce: Mar. 28, 1972

▼ Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

▼ Current Owner(s) Information

Owner Name: GARAN SERVICES CORP.

Owner Address: 200 Madison Avenue, 4th Floor

New York, NEW YORK UNITED STATES 10116

Legal Entity Type: CORPORATION

State or Country Where

Organized: DELAWARE

▼ Attorney/Correspondence Information

Attorney of Record

Attorney Name: ROBERT L. EPSTEIN

Docket Number: 1719-506

Attorney Primary Email: mail@ipcounselors.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: ROBERT L. EPSTEIN

Epstein Drangel LLP

60 E. 42nd Street, Suite 2410

NEW YORK, NEW YORK UNITED STATES 10165

Phone: (212)292-5390

Fax: (212)292-5391

Correspondent e-mail: mail@ipcounselors.com

Correspondent e-mail

Authorized: Yes

Domestic Representative - Not Found

▼ Prosecution History

Date	Description	Proceeding Number
Feb. 06, 2013	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Feb. 06, 2013	REGISTERED AND RENEWED (THIRD RENEWAL - 10 YRS)	67603
Feb. 06, 2013	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	67603
Jan. 30, 2013	TEAS SECTION 8 & 9 RECEIVED	
Mar. 18, 2011	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Mar. 18, 2011	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Aug. 28, 2008	CASE FILE IN TIGRS	
Mar. 04, 2003	REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS)	
Mar. 04, 2003	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Nov. 20, 2002	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Nov. 20, 2002	PAPER RECEIVED	
Mar. 10, 1993	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
Jan. 15, 1993	REGISTERED - SEC. 9 FILED/CHECK RECORD FOR SEC. 8	
Dec. 11, 1978	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15	

ACK

▼ Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Feb. 27, 2013

▼ TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: GENERIC WEB UPDATE

Date in Location: Feb. 06, 2013

▼ Assignment Abstract Of Title Information

Summary

▼ Conveyance Filter

Total Assignments: 1

Registrant: GARAN, INCORPORATED

▼ Assignment 1 of 1

▼ Expand All

Conveyance: ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL

Reel/Frame: 0785/0074

Pages: 13

Date Recorded: Feb. 04, 1991

Supporting Documents: No Supporting Documents Available

Assignor

Name: GARAN INCORPORATED

Execution Date: Nov. 01, 1990

Legal Entity Type: CORPORATION

State or Country Where Organized: VIRGINIA

Assignee

Name: GARAN SERVICES CORP.

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: ONE COMMERCE CENTER, STE. 717
12TH AND ORANGE STREETS
WILMINGTON, DELAWARE 19801

Correspondent

Correspondent Name: JAMES AND FRANKLIN

Correspondent Address: ROBERT L EPSTEIN
60 EAST 42ND STREET, STE. 1217
NEW YORK, NY 10165

Domestic Representative - Not Found

▼ Proceedings

Summary

▼ Party type

▼ Proceeding type

Number of Proceedings: 7

▼ Type of Proceeding: Opposition

▼ Expand All

Proceeding Number: 91239649

Filing Date: Feb 22, 2018

Status: Pending

Status Date: Feb 22, 2018

Interlocutory Attorney: MARY CATHERINE FAINT

Defendant

Name: The Ultimate Green Store, LLC

Correspondent Address: MICHAEL D STEWART
150 SE 2ND AVE SUITE 1000
MIAMI FL UNITED STATES , 33131

Correspondent e-mail: ms@themiamilaw.com , rb@themiamilaw.com

Associated marks

Mark

Application Status

Serial Number

Registration Number

ORGANIMALS

Opposition Pending

87498967

Plaintiff(s)

Name: Garan Services Corp.

Correspondent Address: ROBERT L EPSTEIN
EPSTEIN DRANGEL LLP
60 EAST 42ND STREET, SUITE 2520
NEW YORK NY UNITED STATES , 10165

Correspondent e-mail: mail@ipcounselors.com

Associated marks

Mark

Application Status

Serial Number

Registration Number

GARANIMAL

REGISTERED AND RENEWED

72422254

954125

GARANIMALS

REGISTERED AND RENEWED

73561825

1393357

GARANIMALS

REGISTERED AND RENEWED

73561869

1393358

GARANIMALS

REGISTERED AND RENEWED

73250046

1162044

GARANIMALS

Section 8 and 15 - Accepted and Acknowledged

77570759

3803956

GARANIMALS

Section 8 and 15 - Accepted and Acknowledged

77978022

3706928

GARANIMALS

Section 8 and 15 - Accepted and Acknowledged

77879530

3823199

GARANIMALS

Section 8 and 15 - Accepted and Acknowledged

77981916

3994760

GARANIMALS

Registered

85183797

4191352

GARANIMALS BABY BASICS

Section 8 and 15 - Accepted and Acknowledged

77956700

4050024

Prosecution History

Entry Number

History Text

Date

Due Date

1

FILED AND FEE

Feb 22, 2018

2

NOTICE AND TRIAL DATES SENT; ANSWER DUE:

Feb 22, 2018

Apr 03, 2018

3

PENDING, INSTITUTED

Feb 22, 2018

4

D APPEARANCE / POWER OF ATTORNEY

Feb 26, 2018

5

ANSWER

Mar 07, 2018

▼ Type of Proceeding: Opposition

Proceeding Number: 91232774

Filing Date: Feb 08, 2017

Status: Pending

Status Date: Feb 08, 2017

Interlocutory Attorney: MARY B MYLES

Defendant

Name: Manimal, LLC

Correspondent Address: JAMES D WEINBERGER
FROSS ZELNICK LEHRMAN & ZISSU PC
4 TIMES SQUARE, 17TH FLOOR
NEW YORK NY UNITED STATES , 10036

Correspondent e-mail: jweinberger@tbtz.com

Associated marks

Mark

Application Status

Serial Number

Registration Number

MANIMAL

Opposition Pending

85511299

Plaintiff(s)

Name: Garan Incorporated, Garan Services Corp.

Correspondent Address: ROBERT L EPSTEIN
EPSTEIN DRANGEL LLP
60 E 42ND STREET, STE. 2520
NEW YORK NY UNITED STATES , 10165

Correspondent e-mail: mail@ipcounselors.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
GARANIMAL	REGISTERED AND RENEWED	72422254	954125
GARANIMALS	REGISTERED AND RENEWED	73561825	1393357
GARANIMALS	REGISTERED AND RENEWED	73561869	1393358
GARANIMALS	REGISTERED AND RENEWED	73250046	1162044
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77570759	3803956
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77978022	3706928
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77979530	3823199
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77981916	3994760
Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Feb 08, 2017	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Feb 08, 2017	Mar 20, 2017
3	PENDING, INSTITUTED	Feb 08, 2017	
4	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Mar 16, 2017	
5	SUSPENDED	Mar 16, 2017	
6	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	May 16, 2017	
7	SUSPENDED	May 16, 2017	
8	D CHANGE OF CORRESP ADDRESS	Jul 12, 2017	
9	D MOT FOR EXT W/ CONSENT	Jul 12, 2017	
10	EXTENSION OF TIME GRANTED	Jul 12, 2017	
11	D MOT FOR EXT W/ CONSENT	Aug 14, 2017	
12	EXTENSION OF TIME GRANTED	Aug 14, 2017	
13	D MOT FOR EXT W/ CONSENT	Sep 11, 2017	
14	EXTENSION OF TIME GRANTED	Sep 11, 2017	
15	P MOT TO AMEND PLEADING/AMENDED PLEADING	Sep 29, 2017	
16	TRIAL DATES RESET	Oct 02, 2017	
17	STIP FOR EXT	Oct 24, 2017	
18	EXTENSION OF TIME GRANTED	Oct 24, 2017	
19	ANSWER	Nov 09, 2017	
20	STIP FOR EXT	Jul 13, 2018	
21	EXTENSION OF TIME GRANTED	Jul 13, 2018	
22	D MOT FOR EXT W/ CONSENT	Oct 11, 2018	
23	EXTENSION OF TIME GRANTED	Oct 11, 2018	
▼ Type of Proceeding: Opposition			
Proceeding Number: 91203611		Filing Date: Feb 01, 2012	
Status: Terminated		Status Date: Nov 07, 2014	
Interlocutory Attorney: BENJAMIN U OKEKE			
Defendant			
Name: The Mountain Corporation			
Correspondent Address: DANIEL J. BOURQUE BOURQUE & ASSOCIATES 835 HANOVER ST MANCHESTER NH UNITED STATES , 03104-5401			
Correspondent e-mail: dbourque@nhpatlaw.com			
Associated marks			
Mark	Application Status	Serial Number	Registration Number
MANIMALS	Registered	85115633	4918335
Plaintiff(s)			
Name: Garan Services Corp.			
Correspondent Address: ROBERT L EPSTEIN 60 EAST 42ND STREET, SUITE 2410 NEW YORK NY UNITED STATES , 10165			
Correspondent e-mail: mail@ipcounselors.com			
Associated marks			
Mark	Application Status	Serial Number	Registration Number
GARANIMAL	REGISTERED AND RENEWED	72422254	954125
GARANIMALS	REGISTERED AND RENEWED	73561825	1393357
GARANIMALS	REGISTERED AND RENEWED	73561869	1393358
GARANIMALS	REGISTERED AND RENEWED	73250046	1162044
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77570759	3803956
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77978022	3706928
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77979530	3823199
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77981916	3994760
Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Feb 01, 2012	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Feb 01, 2012	Mar 12, 2012
3	PENDING, INSTITUTED	Feb 01, 2012	
4	ANSWER	Mar 12, 2012	
5	STIPULATION FOR AN EXTENSION OF TIME	Jul 23, 2012	
6	EXTENSION OF TIME GRANTED	Jul 23, 2012	
7	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Dec 28, 2012	
8	SUSPENDED	Dec 28, 2012	
9	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Feb 25, 2013	
10	SUSPENDED	Feb 25, 2013	
11	STIP TO SUSP PEND SETTL NEGOTIATIONS	Apr 26, 2013	
12	SUSPENDED	Apr 26, 2013	
13	STIP TO SUSP PEND SETTL NEGOTIATIONS	Jun 24, 2013	
14	SUSPENDED	Jun 24, 2013	
15	STIP TO SUSP PEND SETTL NEGOTIATIONS	Aug 23, 2013	
16	SUSPENDED	Aug 23, 2013	
17	STIP TO SUSP PEND SETTL NEGOTIATIONS	Oct 03, 2013	
18	SUSPENDED	Oct 03, 2013	
19	MOT TO AMEND APPLICATION	Feb 18, 2014	
20	MOT TO AMEND APPLICATION	Oct 14, 2014	

21	RESPONSE DUE 30 DAYS (DUE DATE)		Oct 22, 2014	Nov 21, 2014
22	W/DRAW OF OPPOSITION		Oct 27, 2014	
23	BD DECISION: DISMISSED W/O PREJ		Nov 07, 2014	
24	TERMINATED		Nov 07, 2014	
▼ Type of Proceeding: Opposition				
Proceeding Number: 91081471		Filing Date: Oct 05, 1989 Status Date: Apr 06, 1991		
Status: Terminated				
Interlocutory Attorney:		Defendant		
Name: WINN- DIXIE STORES, INC.				
Correspondent Address: RONALD D. PETERSON C/O WINN-DIXIE STORES, INC. P.O. BOX "B" JACKSONVILLE FL UNITED STATES , 32203				
Associated marks				
Mark	Application Status			
GRANIMALS	Abandoned - After Inter-Partes Decision	73768504		
Plaintiff(s)				
Name: GARAN, INCORPORATED				
Correspondent Address: JAMES AND FRANKLIN ATT: ROBERT L EPSTEIN 60 EAST 42ND STREET SUITE 1217 NEW YORK , , K. NY				
Associated marks				
Mark	Application Status	Serial Number	Registration Number	
GARANIMAL	REGISTERED AND RENEWED	72422254	954125	
Prosecution History				
Entry Number	History Text	Date	Due Date	
1	FILED AND FEE	Oct 05, 1989		
2	NOTICE SENT, ANSWER DUE (DUE DATE)	Jan 18, 1990	Feb 27, 1990	
3	PENDING, INSTITUTED	Jan 18, 1990		
4	ANSWER	Mar 05, 1990		
5	TRIAL DATES SET	May 14, 1990		
6	DEF ABANDONMENT OF SER NO 788.504	Oct 29, 1990		
7	BOARD'S DECISION: SUSTAINED	Nov 19, 1990		
8	TERMINATED	Apr 06, 1991		
▼ Type of Proceeding: Opposition				
Proceeding Number: 91080896		Filing Date: Jul 26, 1989 Status Date: Dec 04, 1990		
Status: Terminated				
Interlocutory Attorney: MARC BERGSMAN		Defendant		
Name: ARKIMALS INC.				
Correspondent Address: BIERMAN AND MUSERLIAN 757 THIRD AVENUE NEW YORK NY UNITED STATES , 10017				
Associated marks				
Mark	Application Status			
ARKIMALS	Cancelled - Section 8	73735040	1640547	
Plaintiff(s)				
Name: GARAN, INCORPORATED				
Correspondent Address: JAMES AND FRANKLIN ATT: ROBERT L. EPSTEIN 60 EAST 42ND STREET NEW YORK NY UNITED STATES , 10165				
Associated marks				
Mark	Application Status	Serial Number	Registration Number	
GARANIMAL	REGISTERED AND RENEWED	72422254	954125	
Prosecution History				
Entry Number	History Text	Date	Due Date	
1	FILED AND FEE	Jul 26, 1989		
2	NOTICE SENT, ANSWER DUE (DUE DATE)	Sep 18, 1989	Oct 28, 1989	
3	PENDING, INSTITUTED	Sep 18, 1989		
4	ANSWER	Oct 19, 1989		
5	TRIAL DATES SET	Nov 03, 1989		
6	P'S MOT FOR EXTEN. OF TIME W/ CONSENT	Mar 26, 1990		
7	TRIAL DATES RESET	Apr 18, 1990		
8	P'S MOT FOR EXTEN. OF TIME W/ CONSENT	Jun 04, 1990		
9	PL'S MOT TO EXT TIME FOR TRIAL PERIODS W/CON	Aug 03, 1990		
10	WITHDRAWAL OF OPPOSITION	Oct 23, 1990		
11	BD'S DECISION: DISMISSED W/O PREJUDICE	Nov 19, 1990		
12	TERMINATED	Dec 04, 1990		
▼ Type of Proceeding: Opposition				
Proceeding Number: 91077483		Filing Date: Oct 08, 1987 Status Date: Jan 14, 1991		
Status: Terminated				
Interlocutory Attorney: PAULA T HAIRSTON		Defendant		
Name: RUBIE'S COSTUME CO., INC.				
Correspondent Address: C. BRUCE HAMBURG AND FRANK J. JORDAN C/O JORDAN AND HAMBURG CHANIN BUILDING 122 EAST 42ND STREET NEW YORK NY UNITED STATES , 10168				
Associated marks				
Mark	Application Status			
FURANIMALS	Cancelled - Section 8	73654194	1641320	
Plaintiff(s)				
Name: GARAN, INCORPORATED				
Correspondent Address: HAROLD JAMES AND ROBERT L. EPSTEIN C/O JAMES & FRANKLIN 1700 BROADWAY 22ND FLOOR NEW YORK NY UNITED STATES , 10019				
Associated marks				
Mark	Application Status	Serial Number	Registration Number	
GARANIMAL	REGISTERED AND RENEWED	72422254	954125	
Prosecution History				
Entry Number	History Text	Date	Due Date	
1	FILED & FEE	Oct 08, 1987		
2	NOTICE SENT, ANSWER DUE (DUE DATE)	Feb 16, 1988	Mar 28, 1988	
3	PENDING, INSTITUTED	Feb 16, 1988		

4	ANSWER	Mar 30, 1988
5	TRIAL DATES SET	May 12, 1988
6	P'S MOT FOR EXTEN. OF TIME W/ CONSENT	Dec 05, 1988
7	P'S MOT FOR EXTEN. OF TIME W/ CONSENT	Jan 03, 1989
8	TRIAL DATES RESET	Jan 19, 1989
9	P'S MOT FOR EXTEN. OF TIME W/ CONSENT	Feb 02, 1989
10	TRIAL DATES RESET	Feb 14, 1989
11	PL NOTICE OF RELIANCE	May 03, 1989
12	P'S MOT FOR EXTEN. OF TIME W/ CONSENT	May 24, 1989
13	P'S MOT FOR EXTEN. OF TIME W/ CONSENT	Jun 23, 1989
14	TRIAL DATES RESET	Jul 06, 1989
15	WITHDRAWAL OF APPLICATION WITH CONSENT	Sep 05, 1989
16	WITHDRAWAL OF OPPOSITION	Sep 05, 1989
17	BOARD'S DECISION: DISMISSED AS MOOT	Oct 02, 1989
18	TERMINATED	Jan 14, 1991

▼ Type of Proceeding: Opposition

Proceeding Number: 91064909	Filing Date: Aug 24, 1981
Status: Terminated	Status Date: Dec 20, 1985
Interlocutory Attorney: GEORGE D HOEHN	

Defendant

Name: JOVAN, INC.

Associated marks

Mark	Application Status	Serial Number	Registration Number
JOVANIMALS	Cancelled - Section 8	73260769	1381968

Plaintiff(s)

Name: GARAN, INCORPORATED

Associated marks

Mark	Application Status	Serial Number	Registration Number
GARANIMAL	REGISTERED AND RENEWED	72422254	954125

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED	Aug 24, 1981	
2	PENDING, INSTITUTED	Oct 15, 1981	
3	ANSWER	Nov 16, 1981	
4	SUSPENDED PENDING DISP OF CIVIL ACTION	Dec 31, 1981	
5	RESPONSE RE CIVIL ACTION DUE	Mar 01, 1984	
6	PROCEEDINGS REMAIN SUSPENDED PENDING CIVIL ACTION	Apr 10, 1984	
7	RESPONSE DUE RE: CIVIL ACTION	Apr 30, 1985	
8	DEFENDANT'S MOTION TO DISMISS	May 16, 1985	
9	BD'S DECISION: DISMISSED W/ PREJUDICE	Jul 29, 1985	
10	TERMINATED	Dec 20, 1985	

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UNITED STATES
PATENT AND TRADEMARK OFFICE

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FEDERAL GOVERNMENT

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[Strategy Targeting](#)
[Organized Piracy](#)



GARAN, INCORPORATED and GARAN SERVICES CORP. v. MANIMAL, LLC -- OPPOSITION NO. 91232774

OPPOSER'S FIRST NOTICE OF RELIANCE

EXHIBIT 2

October 5, 2018

We believe the recent Trademark Status and Document Retrieval (TSDR) outages have been resolved. There is a possibility you may still experience intermittent outages. If you still need assistance accessing a document, email teas@uspto.gov and include your serial number, the document you are looking for, and a screenshot of any error messages you have received.

Starting Oct. 4, 2018, bulk data customers can no longer obtain direct access to TSDR data through tsdrsec.uspto.gov. There are two alternative ways to receive bulk data from TSDR.

Trademark Status & Document Retrieval (TSDR) ?

SEARCH

MULTI-SEARCH ?

US Serial, Registration, or Reference # ▾

1393357

Status

Documents

Status results found

STATUS

DOCUMENTS

MAINTENANCE ?

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Mark: GARANIMALS

Garanimals

US Serial Number: 73561825

Application Filing Date: Oct. 07, 1985

US Registration Number: 1393357

Registration Date: May 13, 1986

Register: Principal

Mark Type: Trademark

TMS Common Status

Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: The registration has been renewed.

Status Date: May 04, 2016

Publication Date: Feb. 18, 1986

▼ Mark Information

▼ Expand All

Mark Literal Elements: GARANIMALS

Standard Character Claim: No

Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)

Design Search Code(s): 26.11.27 - Oblongs not used as carriers for words, letters or designs

▼ Related Properties Information

Claimed Ownership of US 0954125, 1075095, 1162044

Registrations:

▼ Goods and Services

Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [] indicate deleted goods/services.
- Double parenthesis (), identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks * - identify additional (new) wording in the goods/services.

For: CLOTHING --, namely, SHIRTS, PANTS, TOPS, [COVERALLS, OVERALLS, SUNSUITS, JUMPERS, [SMOCKS, BLOUSES,] SHORTS, SKIRTS, [JEANS,] DRESSES, SUNDRESSES [AND SWEATERS]

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Oct. 1984

Use in Commerce: Oct. 1984

▼ Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

▼ Current Owner(s) Information

Owner Name: GARAN SERVICES CORP.

Owner Address: 200 Madison Avenue, 4th Floor
New York, NEW YORK UNITED STATES 10116

Legal Entity Type: CORPORATION

State or Country Where
Organized: DELAWARE

▼ Attorney/Correspondence Information

Attorney of Record

Attorney Name: Robert L. Epstein

Docket Number: 1719-651

Attorney Primary Email: mail@ipcounselors.com

Attorney Email Authorized: Yes

Address:

Correspondent

Correspondent Name/Address: Robert L. Epstein

EPSTEIN DRANGEL LLP
60 E. 42nd Street, Suite 2520
NEW YORK, NEW YORK UNITED STATES 10165

Phone: (212)292-5390

Fax: (212)292-5391

Correspondent e-mail: mail@ipcounselors.comCorrespondent e-mail Yes
Authorized:

Domestic Representative - Not Found

▼ Prosecution History

Date	Description	Proceeding Number
May 04, 2016	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
May 04, 2016	REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS)	59136
May 04, 2016	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	59136
May 03, 2016	TEAS SECTION 8 & 9 RECEIVED	
Mar. 18, 2011	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Mar. 18, 2011	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Jun. 05, 2008	CASE FILE IN TIGRS	
Aug. 18, 2006	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	59136
Aug. 18, 2006	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Aug. 09, 2006	ASSIGNED TO PARALEGAL	59136
May 12, 2006	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 ENTERED	

May 12, 2006	TEAS SECTION 8 & 9 RECEIVED		
Jul. 28, 1992	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK		
May 11, 1992	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED		
May 13, 1986	REGISTERED-PRINCIPAL REGISTER		
Feb. 18, 1986	PUBLISHED FOR OPPOSITION		
Jan. 19, 1986	NOTICE OF PUBLICATION		
Dec. 17, 1985	APPROVED FOR PUB - PRINCIPAL REGISTER		
Dec. 11, 1985	ASSIGNED TO EXAMINER	64632	
Maintenance Filings or Post Registration Information			
Affidavit of Continued Use: Section 8 - Accepted			
Affidavit of Incontestability: Section 15 - Accepted			
Renewal Date: May 13, 2016			
TM Staff and Location Information			
TM Staff Information - None			
File Location			
Current Location: GENERIC WEB UPDATE		Date in Location: May 04, 2016	
Assignment Abstract Of Title Information			
Summary		Conveyance Filter	
Total Assignments: 1		Registrant: GARAN, INCORPORATED	
Assignment 1 of 1			
Conveyance: ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL			
ReelFrame: 0795/0074		Pages: 13	
Date Recorded: Feb. 04, 1991			
Supporting Documents: No Supporting Documents Available			
Assignor			
Name: GARAN INCORPORATED		Execution Date: Nov. 01, 1990	
Legal Entity Type: CORPORATION		State or Country Where Organized: VIRGINIA	
Assignee			
Name: GARAN SERVICES CORP.		State or Country Where Organized: DELAWARE	
Legal Entity Type: CORPORATION			
Address: ONE COMMERCE CENTER, STE. 717 12TH AND ORANGE STREETS WILMINGTON, DELAWARE 19801			
Correspondent			
Correspondent Name: JAMES AND FRANKLIN			
Correspondent Address: ROBERT L. EPSTEIN 60 EAST 42ND STREET, STE. 1217 NEW YORK, NY 10165			
Domestic Representative - Not Found			
Proceedings			
Summary		Party type	
Number of Proceedings: 4		Proceeding type	
Type of Proceeding: Opposition			
Proceeding Number: 91239649		Filing Date: Feb 22, 2018	
Status: Pending		Status Date: Feb 22, 2018	
Interlocutory Attorney: MARY CATHERINE FAINT			
Defendant			
Name: The Ultimate Green Store, LLC			
Correspondent Address: MICHAEL D STEWART 150 SE 2ND AVE SUITE 1000 MIAMI FL UNITED STATES , 33131			
Correspondent e-mail: ms@themiamilaw.com , rb@themiamilaw.com			
Associated marks			
Mark	Application Status	Serial Number	Registration Number
ORGANIMALS	Opposition Pending	87498967	
Plaintiff(s)			
Name: Garan Services Corp.			
Correspondent Address: ROBERT L EPSTEIN EPSTEIN DRANGEL LLP 60 EAST 42ND STREET, SUITE 2520 NEW YORK NY UNITED STATES , 10165			
Correspondent e-mail: mail@ipcounselors.com			
Associated marks			
Mark	Application Status	Serial Number	Registration Number
GARANIMAL	REGISTERED AND RENEWED	72422254	954125
GARANIMALS	REGISTERED AND RENEWED	73561825	1393357
GARANIMALS	REGISTERED AND RENEWED	73561869	1393358
GARANIMALS	REGISTERED AND RENEWED	73250046	1162044
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77570759	3803956
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77978022	3706928
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77979530	3823199
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77981916	3994760
GARANIMALS	Registered	85183797	4191352
GARANIMALS BABY BASICS	Section 8 and 15 - Accepted and Acknowledged	77956700	4050024
Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Feb 22, 2018	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE	Feb 22, 2018	Apr 03, 2018
3	PENDING, INSTITUTED	Feb 22, 2018	
4	D APPEARANCE / POWER OF ATTORNEY	Feb 26, 2018	
5	ANSWER	Mar 07, 2018	
Type of Proceeding: Opposition			
Proceeding Number: 91232774		Filing Date: Feb 08, 2017	
Status: Pending		Status Date: Feb 08, 2017	
Interlocutory Attorney: MARY B MYLES			
Defendant			
Name: Manimal, LLC			
Correspondent Address: JAMES D WEINBERGER FROSS ZELNICK LEHRMAN & ZISSU PC 4 TIMES SQUARE, 17TH FLOOR NEW YORK NY UNITED STATES , 10036			
Correspondent e-mail: jweinberger@tzt.com			
Associated marks			

Mark	Application Status	Serial Number	Registration Number
MANIMAL	Opposition Pending	85511299	
Plaintiff(s)			
Name: Garan Incorporated, Garan Services Corp.			
Correspondent Address: ROBERT L EPSTEIN EPSTEIN DRANGEL LLP 60 E 42ND STREET, STE. 2520 NEW YORK NY UNITED STATES , 10165			
Correspondent e-mail: mail@ipcounselors.com			
Associated marks			
Mark	Application Status	Serial Number	Registration Number
GARANIMAL	REGISTERED AND RENEWED	72422254	954125
GARANIMALS	REGISTERED AND RENEWED	73561825	1393357
GARANIMALS	REGISTERED AND RENEWED	73561869	1393358
GARANIMALS	REGISTERED AND RENEWED	73250046	1162044
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77570759	3803956
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77978022	3706928
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77979530	3823199
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77981916	3994760
Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Feb 08, 2017	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Feb 08, 2017	Mar 20, 2017
3	PENDING, INSTITUTED	Feb 08, 2017	
4	D MOT TO SUSP W/ CONSENT PEND SETTLE NEGOTIATIONS	Mar 16, 2017	
5	SUSPENDED	Mar 16, 2017	
6	D MOT TO SUSP W/ CONSENT PEND SETTLE NEGOTIATIONS	May 16, 2017	
7	SUSPENDED	May 16, 2017	
8	D CHANGE OF CORRESP ADDRESS	Jul 12, 2017	
9	D MOT FOR EXT W/ CONSENT	Jul 12, 2017	
10	EXTENSION OF TIME GRANTED	Jul 12, 2017	
11	D MOT FOR EXT W/ CONSENT	Aug 14, 2017	
12	EXTENSION OF TIME GRANTED	Aug 14, 2017	
13	D MOT FOR EXT W/ CONSENT	Sep 11, 2017	
14	EXTENSION OF TIME GRANTED	Sep 11, 2017	
15	P MOT TO AMEND PLEADING/AMENDED PLEADING	Sep 29, 2017	
16	TRIAL DATES RESET	Oct 02, 2017	
17	STIP FOR EXT	Oct 24, 2017	
18	EXTENSION OF TIME GRANTED	Oct 24, 2017	
19	ANSWER	Nov 09, 2017	
20	STIP FOR EXT	Jul 13, 2018	
21	EXTENSION OF TIME GRANTED	Jul 13, 2018	
22	D MOT FOR EXT W/ CONSENT	Oct 11, 2018	
23	EXTENSION OF TIME GRANTED	Oct 11, 2018	
▼ Type of Proceeding: Opposition			
Proceeding Number: 91219787		Filing Date: Dec 16, 2014	
Status: Terminated		Status Date: May 20, 2015	
Interlocutory Attorney: CHRISTEN M ENGLISH			
Defendant			
Name: DreamWorks Animation L.L.C.			
Correspondent Address: CHRISTOPHER C LARKIN SEYFARTH SHAW LLP 2029 CENTURY PARK EAST, SUITE 3500 LOS ANGELES CA UNITED STATES , 90067-3021			
Correspondent e-mail: clarkin@seyfarth.com , kelko@seyfarth.com			
Associated marks			
Mark	Application Status	Serial Number	Registration Number
DREAMWORKS MECHANIMALS	Abandoned - No Statement Of Use Filed	86323057	
Plaintiff(s)			
Name: Garan Services Corp.			
Correspondent Address: ROBERT L EPSTEIN EPSTEIN DRANGEL LLP ONE GRAND CENTRAL PLACE, 60 EAST 42ND STREET SUITE 2410 NEW YORK NY UNITED STATES , 10165			
Correspondent e-mail: mail@ipcounselors.com			
Associated marks			
Mark	Application Status	Serial Number	Registration Number
GARANIMALS	REGISTERED AND RENEWED	73250046	1162044
GARANIMALS	REGISTERED AND RENEWED	73561825	1393357
GARANIMALS	REGISTERED AND RENEWED	73561869	1393358
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77570759	3803956
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77978022	3706928
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77981916	3994760
365 KIDS FROM GARANIMALS	Registered	85980144	4430103
GARANIMALS EVERYDAY	Registered	85736979	4467507
EVERYDAY GARANIMALS	Registered	85736972	4472043
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77979530	3823199
Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Dec 16, 2014	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Dec 16, 2014	Jan 25, 2015
3	PENDING, INSTITUTED	Dec 16, 2014	
4	D CHANGE OF CORRESP ADDRESS	Jan 16, 2015	
5	ANSWER	Jan 16, 2015	
6	MOT TO DIVIDE APPLICATION	Feb 04, 2015	
7	BOARD'S ORDER	Apr 02, 2015	
8	D CHANGE OF CORRESP ADDRESS	Apr 08, 2015	
9	MOT TO AMEND APPLICATION	Apr 15, 2015	
10	BD DECISION: DISMISSED W/ PREJ	May 20, 2015	
11	TERMINATED	May 20, 2015	
▼ Type of Proceeding: Opposition			
Proceeding Number: 91203611		Filing Date: Feb 01, 2012	

Status: terminated		Status Date: Nov 07, 2014	
Interlocutory Attorney: BENJAMIN U OKEKE			
Defendant			
Name: The Mountain Corporation			
Correspondent Address: DANIEL J. BOURQUE BOURQUE & ASSOCIATES 835 HANOVER ST MANCHESTER NH UNITED STATES , 03104-5401			
Correspondent e-mail: dbourque@nhpatlaw.com			
Associated marks			
Mark	Application Status	Serial Number	Registration Number
MANIMALS	Registered	85115633	4918335
Plaintiff(s)			
Name: Garan Services Corp.			
Correspondent Address: ROBERT L EPSTEIN 60 EAST 42ND STREET, SUITE 2410 NEW YORK NY UNITED STATES , 10165			
Correspondent e-mail: mail@ipcounselors.com			
Associated marks			
Mark	Application Status	Serial Number	Registration Number
GARANIMAL	REGISTERED AND RENEWED	72422254	954125
GARANIMALS	REGISTERED AND RENEWED	73561825	1393357
GARANIMALS	REGISTERED AND RENEWED	73561869	1393358
GARANIMALS	REGISTERED AND RENEWED	73250046	1162044
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77570759	3803956
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77978022	3706928
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77979530	3823199
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77981916	3994780
Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Feb 01, 2012	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE	Feb 01, 2012	Mar 12, 2012
3	PENDING, INSTITUTED	Feb 01, 2012	
4	ANSWER	Mar 12, 2012	
5	STIPULATION FOR AN EXTENSION OF TIME	Jul 23, 2012	
6	EXTENSION OF TIME GRANTED	Jul 23, 2012	
7	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Dec 28, 2012	
8	SUSPENDED	Dec 28, 2012	
9	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Feb 25, 2013	
10	SUSPENDED	Feb 25, 2013	
11	STIP TO SUSP PEND SETTL NEGOTIATIONS	Apr 26, 2013	
12	SUSPENDED	Apr 26, 2013	
13	STIP TO SUSP PEND SETTL NEGOTIATIONS	Jun 24, 2013	
14	SUSPENDED	Jun 24, 2013	
15	STIP TO SUSP PEND SETTL NEGOTIATIONS	Aug 23, 2013	
16	SUSPENDED	Aug 23, 2013	
17	STIP TO SUSP PEND SETTL NEGOTIATIONS	Oct 03, 2013	
18	SUSPENDED	Oct 03, 2013	
19	MOT TO AMEND APPLICATION	Feb 18, 2014	
20	MOT TO AMEND APPLICATION	Oct 14, 2014	
21	RESPONSE DUE 30 DAYS (DUE DATE)	Oct 22, 2014	Nov 21, 2014
22	WIDRAW OF OPPOSITION	Oct 27, 2014	
23	BD DECISION- DISMISSED W/O PREJ	Nov 07, 2014	
24	TERMINATED	Nov 07, 2014	

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GARAN, INCORPORATED and GARAN SERVICES CORP. v. MANIMAL, LLC -- OPPOSITION NO. 91232774

OPPOSER'S FIRST NOTICE OF RELIANCE

EXHIBIT 3

October 5, 2018

We believe the recent Trademark Status and Document Retrieval (TSDR) outages have been resolved. There is a possibility you may still experience intermittent outages. If you still need assistance accessing a document, email teas@uspto.gov and include your serial number, the document you are looking for, and a screenshot of any error messages you have received.

Starting Oct. 4, 2018, bulk data customers can no longer obtain direct access to TSDR data through tsdrcse.uspto.gov. There are two alternative ways to receive bulk data from TSDR.

Trademark Status & Document Retrieval (TSDR) ?

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MULTI-SEARCH ?

US Serial, Registration, or Reference # ▾

1393358

Status

Documents

Status results found

STATUS

DOCUMENTS

MAINTENANCE ?

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Mark: GARANIMALS

No image exists for this case.

US Serial Number: 73561869

Application Filing Date: Oct. 07, 1995

US Registration Number: 1393358

Registration Date: May 13, 1996

Register: Principal

Mark Type: Trademark

TMS Common Status
Descriptor:

LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: The registration has been renewed.

Status Date: Apr. 09, 2016

Publication Date: Feb. 18, 1996

▼ Mark Information

Expand All

Mark Literal Elements: GARANIMALS

Standard Character Claim: No

Mark Drawing Type: 1 - TYPESET WORD(S) / LETTER(S) / NUMBER(S)

▼ Related Properties Information

Claimed Ownership of US 0954125, 1075095, 1162044

Registrations:

▼ Goods and Services

Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [] indicate deleted goods/services.
- Double parenthesis (), identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks * - identify additional (new) wording in the goods/services.

For: CLOTHING --, namely, SHIRTS, PANTS, TOPS, [COVERALLS, OVERALLS, SUNSUITS, JUMPERS, MOCKS, BLOUSES,] SHORTS, [SKIRTS, JEANS, DRESSES,] SUNDRESSES, [SWEATERS,] SLEEPWEAR AND HOSIERY

International Class(es): 025 - Primary Class

U.S Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Mar. 28, 1972

Use in Commerce: Mar. 28, 1972

▼ Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

▼ Current Owner(s) Information

Owner Name: GARAN SERVICES CORP.

Owner Address: 200 Madison Avenue, 4th Floor
New York, NEW YORK UNITED STATES 10116

Legal Entity Type: CORPORATION

State or Country Where
Organized: DELAWARE

▼ Attorney/Correspondence Information

Attorney of Record

Attorney Name: ROBERT L. EPSTEIN

Docket Number: 1719-650

Attorney Primary Email: mail@ipcounselors.com

Attorney Email Authorized: Yes

Address:

Correspondent

Correspondent Name/Address: ROBERT L. EPSTEIN

Epstein Drangel LLP
60 E. 42 Street, Suite 2520
NEW YORK, NEW YORK UNITED STATES 10165

Phone: 212-292-5390

Fax: 212-292-5391

Correspondent e-mail: mail@ipcounselors.comCorrespondent e-mail Yes
Authorized:

Domestic Representative - Not Found

▼ Prosecution History

Date	Description	Proceeding Number
Apr. 09, 2016	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Apr. 09, 2016	REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS)	59136
Apr. 09, 2016	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	59136
Apr. 08, 2016	TEAS SECTION 8 & 9 RECEIVED	
May 13, 2015	COURTESY REMINDER - SEC. 8 (10-YR)/SEC. 9 E-MAILED	
Mar. 18, 2011	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Mar. 18, 2011	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Jun. 13, 2008	CASE FILE IN TIGRS	
Aug. 18, 2006	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	59136
Aug. 18, 2006	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Aug. 18, 2006	ASSIGNED TO PAUL FRAI	50136

May 12, 2006	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
May 12, 2006	TEAS SECTION 8 & 9 RECEIVED	
May 05, 2004	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jul. 28, 1992	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
May 11, 1992	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
May 13, 1986	REGISTERED-PRINCIPAL REGISTER	
Feb. 18, 1986	PUBLISHED FOR OPPOSITION	
Jan. 19, 1986	NOTICE OF PUBLICATION	
Dec. 17, 1985	APPROVED FOR PUB - PRINCIPAL REGISTER	
Dec. 11, 1985	ASSIGNED TO EXAMINER	64632
▼ Maintenance Filings or Post Registration Information		
Affidavit of Continued Use: Section 8 - Accepted		
Affidavit of Incontestability: Section 15 - Accepted		
Renewal Date: May 13, 2016		
▼ TM Staff and Location Information		
TM Staff Information - None		
File Location		
Current Location: GENERIC WEB UPDATE		Date in Location: Apr. 09, 2016
▼ Assignment Abstract Of Title Information		
Summary		▼ Conveyance Filter
Total Assignments: 1	Registrant: GARAN, INCORPORATED	
▼ Assignment 1 of 1		
▼ Expand All		
Conveyance: ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL		
Reel/Frame: 0785/0074	Pages: 13	
Date Recorded: Feb. 04, 1991		
Supporting Documents: No Supporting Documents Available		
Assignor		
Name: GARAN INCORPORATED	Execution Date: Nov. 01, 1990	
Legal Entity Type: CORPORATION	State or Country Where Organized: VIRGINIA	
Assignee		
Name: GARAN SERVICES CORP.		
Legal Entity Type: CORPORATION	State or Country Where Organized: DELAWARE	
Address: ONE COMMERCE CENTER, STE. 717 12TH AND ORANGE STREETS WILMINGTON, DELAWARE 19801		
Correspondent		
Correspondent Name: JAMES AND FRANKLIN		
Correspondent Address: ROBERT L. EPSTEIN 60 EAST 42ND STREET, STE. 1217 NEW YORK, NY 10165		
Domestic Representative - Not Found		
▼ Proceedings		
Summary		▼ Party type
▼ Proceeding type		
Number of Proceedings: 4		
▼ Type of Proceeding: Opposition		
▼ Expand All		
Proceeding Number: 91239649		
Status: Pending	Filing Date: Feb 22, 2018	
Status Date: Feb 22, 2018		
Interlocutory Attorney: MARY CATHERINE FAINT		
Defendant		
Name: The Ultimate Green Store, LLC		
Correspondent Address: MICHAEL D STEWART 150 SE 2ND AVE SUITE 1000 MIAMI FL UNITED STATES , 33131		
Correspondent e-mail: ms@themiamlaw.com , rb@themiamlaw.com		
Associated marks		
Mark	Application Status	Serial Number
ORGANIMALS	Opposition Pending	87498967
Plaintiff(s)		
Name: Garan Services Corp.		
Correspondent Address: ROBERT L EPSTEIN EPSTEIN DRANGEL LLP 60 EAST 42ND STREET, SUITE 2520 NEW YORK NY UNITED STATES , 10165		
Correspondent e-mail: mail@ipcounselors.com		
Associated marks		
Mark	Application Status	Serial Number
GARANIMAL	REGISTERED AND RENEWED	72422254
GARANIMALS	REGISTERED AND RENEWED	73561825
GARANIMALS	REGISTERED AND RENEWED	73561869
GARANIMALS	REGISTERED AND RENEWED	73250046
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77570759
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77978022
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77979530
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77981916
GARANIMALS	Registered	85183797
GARANIMALS BABY BASICS	Section 8 and 15 - Accepted and Acknowledged	77956700
Prosecution History		
Entry Number	History Text	Date
1	FILED AND FEE	Feb 22, 2018
2	NOTICE AND TRIAL DATES SENT, ANSWER DUE:	Feb 22, 2018
3	PENDING, INSTITUTED	Feb 22, 2018
4	D APPEARANCE / POWER OF ATTORNEY	Feb 26, 2018
5	ANSWER	Mar 07, 2018
▼ Type of Proceeding: Opposition		
Proceeding Number: 91232774		
Status: Pending	Filing Date: Feb 08, 2017	
Status Date: Feb 08, 2017		
Interlocutory Attorney: MARY B MYLES		
Defendant		
Name: Manimal, LLC		
Correspondent Address: JAMES D WEINBERGER FROSS ZELNICK LEHRMAN & ZISSU PC 4 TIMES SQUARE, 17TH FLOOR		

NEW YORK NY UNITED STATES , 10036			
Correspondent e-mail: jweinberger@t2z.com			
Associated marks			
Mark	Application Status	Serial Number	Registration Number
MANIMAL	Opposition Pending	85511299	
Plaintiff(s)			
Name: Garan Incorporated, Garan Services Corp.			
Correspondent Address: ROBERT L EPSTEIN EPSTEIN DRANGEL LLP 60 E 42ND STREET, STE. 2520 NEW YORK NY UNITED STATES , 10165			
Correspondent e-mail: mail@ipcounselors.com			
Associated marks			
Mark	Application Status	Serial Number	Registration Number
GARANIMAL	REGISTERED AND RENEWED	72422254	954125
GARANIMALS	REGISTERED AND RENEWED	73561825	1393357
GARANIMALS	REGISTERED AND RENEWED	73561869	1393358
GARANIMALS	REGISTERED AND RENEWED	73250046	1162044
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77570759	3803956
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77978022	3706928
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77979530	3823199
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77981916	3994760
Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Feb 08, 2017	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Feb 08, 2017	Mar 20, 2017
3	PENDING, INSTITUTED	Feb 08, 2017	
4	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Mar 16, 2017	
5	SUSPENDED	Mar 16, 2017	
6	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	May 16, 2017	
7	SUSPENDED	May 16, 2017	
8	D CHANGE OF CORRESP ADDRESS	Jul 12, 2017	
9	D MOT FOR EXT W/ CONSENT	Jul 12, 2017	
10	EXTENSION OF TIME GRANTED	Jul 12, 2017	
11	D MOT FOR EXT W/ CONSENT	Aug 14, 2017	
12	EXTENSION OF TIME GRANTED	Aug 14, 2017	
13	D MOT FOR EXT W/ CONSENT	Sep 11, 2017	
14	EXTENSION OF TIME GRANTED	Sep 11, 2017	
15	P MOT TO AMEND PLEADING/AMENDED PLEADING	Sep 29, 2017	
16	TRIAL DATES RESET	Oct 02, 2017	
17	STIP FOR EXT	Oct 24, 2017	
18	EXTENSION OF TIME GRANTED	Oct 24, 2017	
19	ANSWER	Nov 09, 2017	
20	STIP FOR EXT	Jul 13, 2018	
21	EXTENSION OF TIME GRANTED	Jul 13, 2018	
22	D MOT FOR EXT W/ CONSENT	Oct 11, 2018	
23	EXTENSION OF TIME GRANTED	Oct 11, 2018	
▼ Type of Proceeding: Opposition			
Proceeding Number: 91219787		Filing Date: Dec 16, 2014	
Status: Terminated		Status Date: May 20, 2015	
Interlocutory Attorney: CHRISTEN M ENGLISH			
Defendant			
Name: DreamWorks Animation L.L.C.			
Correspondent Address: CHRISTOPHER C LARKIN SEYFARTH SHAW LLP 2029 CENTURY PARK EAST, SUITE 3500 LOS ANGELES CA UNITED STATES , 90067-3021			
Correspondent e-mail: clarkin@seyfarth.com , kalko@seyfarth.com			
Associated marks			
Mark	Application Status	Serial Number	Registration Number
DREAMWORKS MECHANIMALS	Abandoned - No Statement Of Use Filed	86323057	
Plaintiff(s)			
Name: Garan Services Corp.			
Correspondent Address: ROBERT L EPSTEIN EPSTEIN DRANGEL LLP ONE GRAND CENTRAL PLACE, 60 EAST 42ND STREET SUITE 2410 NEW YORK NY UNITED STATES , 10165			
Correspondent e-mail: mail@ipcounselors.com			
Associated marks			
Mark	Application Status	Serial Number	Registration Number
GARANIMALS	REGISTERED AND RENEWED	73250046	1162044
GARANIMALS	REGISTERED AND RENEWED	73561825	1393357
GARANIMALS	REGISTERED AND RENEWED	73561869	1393358
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77570759	3803956
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77978022	3706928
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77981916	3994760
365 KIDS FROM GARANIMALS	Registered	85980144	4430103
GARANIMALS EVERYDAY	Registered	85736979	4467507
EVERYDAY GARANIMALS	Registered	85736972	4472043
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77979530	3823199
Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Dec 16, 2014	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Dec 16, 2014	Jan 25, 2015
3	PENDING, INSTITUTED	Dec 16, 2014	
4	D CHANGE OF CORRESP ADDRESS	Jan 16, 2015	
5	ANSWER	Jan 16, 2015	
6	MOT TO DIVIDE APPLICATION	Feb 04, 2015	
7	BOARD'S ORDER	Apr 02, 2015	
8	D CHANGE OF CORRESP ADDRESS	Apr 08, 2015	
9	MOT TO AMEND APPLICATION	Apr 15, 2015	
10	BD DECISION: DISMISSED W/ PREJ	May 20, 2015	
11	TERMINATED	May 20, 2015	

▼ Type of Proceeding: Opposition

Proceeding Number: 91203611		Filing Date: Feb 01, 2012	
Status: Terminated		Status Date: Nov 07, 2014	
Interlocutory Attorney: BENJAMIN U OKEKE			
Defendant			
Name: The Mountain Corporation			
Correspondent Address: DANIEL J. BOURQUE BOURQUE & ASSOCIATES 835 HANOVER ST MANCHESTER NH UNITED STATES , 03104-5401			
Correspondent e-mail: dbourque@nhpatlaw.com			
Associated marks			
Mark	Application Status	Serial Number	Registration Number
MANIMALS	Registered	85115633	4918335
Plaintiff(s)			
Name: Garan Services Corp.			
Correspondent Address: ROBERT L EPSTEIN 60 EAST 42ND STREET, SUITE 2410 NEW YORK NY UNITED STATES , 10165			
Correspondent e-mail: mail@ipcounselors.com			
Associated marks			
Mark	Application Status	Serial Number	Registration Number
GARANIMAL	REGISTERED AND RENEWED	72422254	954125
GARANIMALS	REGISTERED AND RENEWED	73561825	1393357
GARANIMALS	REGISTERED AND RENEWED	73561869	1393358
GARANIMALS	REGISTERED AND RENEWED	73250046	1162044
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77570759	3803956
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77976022	3706928
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77979530	3823199
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77981916	3994760
Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Feb 01, 2012	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Feb 01, 2012	Mar 12, 2012
3	PENDING, INSTITUTED	Feb 01, 2012	
4	ANSWER	Mar 12, 2012	
5	STIPULATION FOR AN EXTENSION OF TIME	Jul 23, 2012	
6	EXTENSION OF TIME GRANTED	Jul 23, 2012	
7	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Dec 28, 2012	
8	SUSPENDED	Dec 28, 2012	
9	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Feb 25, 2013	
10	SUSPENDED	Feb 25, 2013	
11	STIP TO SUSP PEND SETTL NEGOTIATIONS	Apr 26, 2013	
12	SUSPENDED	Apr 26, 2013	
13	STIP TO SUSP PEND SETTL NEGOTIATIONS	Jun 24, 2013	
14	SUSPENDED	Jun 24, 2013	
15	STIP TO SUSP PEND SETTL NEGOTIATIONS	Aug 23, 2013	
16	SUSPENDED	Aug 23, 2013	
17	STIP TO SUSP PEND SETTL NEGOTIATIONS	Oct 03, 2013	
18	SUSPENDED	Oct 03, 2013	
19	MOT TO AMEND APPLICATION	Feb 18, 2014	
20	MOT TO AMEND APPLICATION	Oct 14, 2014	
21	RESPONSE DUE 30 DAYS (DUE DATE)	Oct 22, 2014	Nov 21, 2014
22	W/DRAW OF OPPOSITION	Oct 27, 2014	
23	BD DECISION: DISMISSED W/O PREJ	Nov 07, 2014	
24	TERMINATED	Nov 07, 2014	

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[Strategy Targeting](#)
[Organized Piracy](#)



GARAN, INCORPORATED and GARAN SERVICES CORP. v. MANIMAL, LLC -- OPPOSITION NO. 91232774

OPPOSER'S FIRST NOTICE OF RELIANCE

EXHIBIT 4

October 5, 2018

We believe the recent Trademark Status and Document Retrieval (TSDR) outages have been resolved. There is a possibility you may still experience intermittent outages. If you still need assistance accessing a document, email teas@uspto.gov and include your serial number, the document you are looking for, and a screenshot of any error messages you have received.

Starting Oct. 4, 2018, bulk data customers can no longer obtain direct access to TSDR data through tsdrec.uspto.gov. There are two alternative ways to receive bulk data from TSDR.

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SEARCH

MULTI-SEARCH ?

US Serial, Registration, or Reference #

1162044

Status

Documents

Status results found

STATUS

DOCUMENTS

MAINTENANCE ?

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Mark: GARANIMALS

Garanimals

US Serial Number: 73250046

Application Filing Date: Feb. 13, 1980

US Registration Number: 1162044

Registration Date: Jul. 21, 1981

Register: Principal

Mark Type: Trademark

TMS Common Status

Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: The registration has been renewed.

Status Date: Aug. 13, 2011

Publication Date: Apr. 28, 1981

Mark Information

Expand All

Mark Literal Elements: GARANIMALS

Standard Character Claim: No

Mark Drawing Type: 5 - AN ILLUSTRATION DRAWING WITH WORD(S) /LETTER(S)/ NUMBER(S) INSTYLIZED FORM

Related Properties Information

Claimed Ownership of US: 09541250, 10750950

Registrations:

Goods and Services

Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [] indicate deleted goods/services;
- Double parenthesis () identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks "*" identify additional (new) wording in the goods/services.

For: Clothing-Namely, Pants, Tops, Coveralls, Overalls, Sun Suits, Jumpers, Smocks, Shirts, Blouses, Shorts, Skirts and Jeans

International Class(es): 025 - Primary Class

U.S Class(es): 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Oct. 04, 1979

Use in Commerce: Oct. 04, 1979

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: GARAN SERVICES CORP

Owner Address: 350 Fifth Avenue, 19th Floor
New York, NEW YORK UNITED STATES 10118

Legal Entity Type: CORPORATION

State or Country Where
Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: HAROLD JAMES

Attorney Primary Email: mail@ipcounselors.com

Address:

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: HAROLD JAMES
Epstein Drangel LLP60 E 42ND ST STE 1217
NEW YORK CITY, NEW YORK UNITED STATES 10165

Phone: (212) 292-5390

Fax: (212) 292-5391

Correspondent e-mail: mail@ipcounselors.comCorrespondent e-mail
Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Aug. 13, 2011	REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS)	75461
Aug. 13, 2011	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	75461
Aug. 12, 2011	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	75461
Jun. 06, 2011	TEAS SECTION 8 & 9 RECEIVED	
Mar. 18, 2011	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Mar. 18, 2011	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Mar. 16, 2009	CASE FILE IN TIGRS	
May 16, 2001	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	
May 16, 2001	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Jan. 29, 2001	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Jan. 12, 1987	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK	
Sep. 08, 1986	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Jul. 21, 1981	REGISTERED-PRINCIPAL REGISTER	

Apr. 28, 1981		PUBLISHED FOR OPPOSITION	
Maintenance Filings or Post Registration Information			
Affidavit of Continued Use: Section 8 - Accepted			
Affidavit of Incontestability: Section 15 - Accepted			
Renewal Date: Jul. 21, 2011			
TM Staff and Location Information			
TM Staff Information - None			
File Location			
Current Location: GENERIC WEB UPDATE		Date in Location: Aug. 13, 2011	
Assignment Abstract Of Title Information			
Summary		Conveyance Filter	
Total Assignments: 1		Registrant: Garan, Incorporated	
Assignment 1 of 1			
Conveyance: ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL			
ReelFrame: 0785/0074		Pages: 13	
Date Recorded: Feb. 04, 1991			
Supporting Documents: No Supporting Documents Available			
Assignor			
Name: GARAN INCORPORATED		Execution Date: Nov. 01, 1990	
Legal Entity Type: CORPORATION		State or Country Where Organized: VIRGINIA	
Assignee			
Name: GARAN SERVICES CORP.		State or Country Where Organized: DELAWARE	
Legal Entity Type: CORPORATION			
Address: ONE COMMERCE CENTER, STE. 717 12TH AND ORANGE STREETS WILMINGTON, DELAWARE 19801			
Correspondent			
Correspondent Name: JAMES AND FRANKLIN			
Correspondent Address: ROBERT L. EPSTEIN 60 EAST 42ND STREET, STE. 1217 NEW YORK, NY 10165			
Domestic Representative - Not Found			
Proceedings			
Summary		Party type	
Number of Proceedings: 4		Proceeding type	
Type of Proceeding: Opposition			
Proceeding Number: 91239649		Filing Date: Feb. 22, 2018	
Status: Pending		Status Date: Feb. 22, 2018	
Interlocutory Attorney: MARY CATHERINE FAINT			
Defendant			
Name: The Ultimate Green Store, LLC			
Correspondent Address: MICHAEL D STEWART 150 SE 2ND AVE SUITE 1000 MIAMI FL UNITED STATES , 33131			
Correspondent e-mail: ms@themiamilaw.com , rb@themiamilaw.com			
Associated marks			
Mark	Application Status	Serial Number	Registration Number
ORGANIMALS	Opposition Pending	87498967	
Plaintiff(s)			
Name: Garan Services Corp.			
Correspondent Address: ROBERT L EPSTEIN EPSTEIN DRANGEL LLP 60 EAST 42ND STREET, SUITE 2520 NEW YORK NY UNITED STATES , 10165			
Correspondent e-mail: mail@ipcounselors.com			
Associated marks			
Mark	Application Status	Serial Number	Registration Number
GARANIMAL	REGISTERED AND RENEWED	72422254	954125
GARANIMALS	REGISTERED AND RENEWED	73561825	1393357
GARANIMALS	REGISTERED AND RENEWED	73561869	1393358
GARANIMALS	REGISTERED AND RENEWED	73250046	1162044
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77570759	3803956
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77978022	3706928
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77979530	3823199
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77981916	3994760
GARANIMALS	Registered	85183797	4191352
GARANIMALS BABY BASICS	Section 8 and 15 - Accepted and Acknowledged	77956700	4050024
Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Feb. 22, 2018	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE	Feb. 22, 2018	Apr. 03, 2018
3	PENDING, INSTITUTED	Feb. 22, 2018	
4	D APPEARANCE / POWER OF ATTORNEY	Feb. 26, 2018	
5	ANSWER	Mar. 07, 2018	
Type of Proceeding: Opposition			
Proceeding Number: 91232774		Filing Date: Feb. 08, 2017	
Status: Pending		Status Date: Feb. 08, 2017	
Interlocutory Attorney: MARY B MYLES			
Defendant			
Name: Manimal, LLC			
Correspondent Address: JAMES D WEINBERGER FROSS ZELNICK LEHRMAN & ZISSU PC 4 TIMES SQUARE, 17TH FLOOR NEW YORK NY UNITED STATES , 10036			
Correspondent e-mail: jweinberger@tlz.com			
Associated marks			
Mark	Application Status	Serial Number	Registration Number
MANIMAL	Opposition Pending	85511299	
Plaintiff(s)			
Name: Garan Incorporated, Garan Services Corp.			
Correspondent Address: ROBERT L EPSTEIN EPSTEIN DRANGEL LLP 60 E 42ND STREET, STE. 2520 NEW YORK NY UNITED STATES , 10165			
Correspondent e-mail: mail@ipcounselors.com			

Associated marks			
Mark	Application Status	Serial Number	Registration Number
GARANIMAL	REGISTERED AND RENEWED	72422254	954125
GARANIMALS	REGISTERED AND RENEWED	73561825	1393357
GARANIMALS	REGISTERED AND RENEWED	73561869	1393358
GARANIMALS	REGISTERED AND RENEWED	73250046	1162044
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77570759	3803956
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77978022	3706928
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77979530	3823199
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77981916	3994760
Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Feb 08, 2017	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Feb 08, 2017	Mar 20, 2017
3	PENDING, INSTITUTED	Feb 08, 2017	
4	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Mar 16, 2017	
5	SUSPENDED	Mar 16, 2017	
6	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	May 16, 2017	
7	SUSPENDED	May 16, 2017	
8	D CHANGE OF CORRESP ADDRESS	Jul 12, 2017	
9	D MOT FOR EXT W/ CONSENT	Jul 12, 2017	
10	EXTENSION OF TIME GRANTED	Jul 12, 2017	
11	D MOT FOR EXT W/ CONSENT	Aug 14, 2017	
12	EXTENSION OF TIME GRANTED	Aug 14, 2017	
13	D MOT FOR EXT W/ CONSENT	Sep 11, 2017	
14	EXTENSION OF TIME GRANTED	Sep 11, 2017	
15	P MOT TO AMEND PLEADING/AMENDED PLEADING	Sep 29, 2017	
16	TRIAL DATES RESET	Oct 02, 2017	
17	STIP FOR EXT	Oct 24, 2017	
18	EXTENSION OF TIME GRANTED	Oct 24, 2017	
19	ANSWER	Nov 09, 2017	
20	STIP FOR EXT	Jul 13, 2018	
21	EXTENSION OF TIME GRANTED	Jul 13, 2018	
22	D MOT FOR EXT W/ CONSENT	Oct 11, 2018	
23	EXTENSION OF TIME GRANTED	Oct 11, 2018	
Type of Proceeding: Opposition			
Proceeding Number: 91219787		Filing Date: Dec 16, 2014	
Status: Terminated		Status Date: May 20, 2015	
Interlocutory Attorney: CHRISTEN M ENGLISH			
Defendant			
Name: DreamWorks Animation L L C.			
Correspondent Address: CHRISTOPHER C LARKIN SEYFARTH SHAW LLP 2029 CENTURY PARK EAST, SUITE 3500 LOS ANGELES CA UNITED STATES , 90067-3021			
Correspondent e-mail: clarkin@seyfarth.com , kelko@seyfarth.com			
Associated marks			
Mark	Application Status	Serial Number	Registration Number
DREAM/WORKS MECHANIMALS	Abandoned - No Statement Of Use Filed	86323057	
Plaintiff(s)			
Name: Garan Services Corp.			
Correspondent Address: ROBERT L EPSTEIN EPSTEIN DRANGEL LLP ONE GRAND CENTRAL PLACE, 60 EAST 42ND STREET SUITE 2410 NEW YORK NY UNITED STATES , 10165			
Correspondent e-mail: mail@ipcounselors.com			
Associated marks			
Mark	Application Status	Serial Number	Registration Number
GARANIMALS	REGISTERED AND RENEWED	73250046	1162044
GARANIMALS	REGISTERED AND RENEWED	73561825	1393357
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GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77981916	3994760
365 KIDS FROM GARANIMALS	Registered	85980144	4430103
GARANIMALS EVERYDAY	Registered	85736979	4467507
EVERYDAY GARANIMALS	Registered	85736972	4472043
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77979530	3823199
Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Dec 16, 2014	
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9	MOT TO AMEND APPLICATION	Apr 15, 2015	
10	BD DECISION, DISMISSED W/ PREJ	May 20, 2015	
11	TERMINATED	May 20, 2015	
Type of Proceeding: Opposition			
Proceeding Number: 91203611		Filing Date: Feb 01, 2012	
Status: Terminated		Status Date: Nov 07, 2014	
Interlocutory Attorney: BENJAMIN U OKEKE			
Defendant			
Name: The Mountain Corporation			
Correspondent Address: DANIEL J. BOURQUE BOURQUE & ASSOCIATES 835 HANOVER ST MANCHESTER NH UNITED STATES , 03104-5401			
Correspondent e-mail: dbourque@nhpatlaw.com			

Associated marks			
Mark	Application Status	Serial Number	Registration Number
MANIMALS	Registered	85115633	4018335
Plaintiff(s)			
Name: Garan Services Corp.			
Correspondent Address: ROBERT L EPSTEIN 60 EAST 42ND STREET, SUITE 2410 NEW YORK NY UNITED STATES , 10165			
Correspondent e-mail: mail@pcounselors.com			
Associated marks			
Mark	Application Status	Serial Number	Registration Number
GARANIMAL	REGISTERED AND RENEWED	72422254	954125
GARANIMALS	REGISTERED AND RENEWED	73561825	1393357
GARANIMALS	REGISTERED AND RENEWED	73561869	1393358
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GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77979530	3823199
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77981916	3994760
Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Feb 01, 2012	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE	Feb 01, 2012	Mar 12, 2012
3	PENDING, INSTITUTED	Feb 01, 2012	
4	ANSWER	Mar 12, 2012	
5	STIPULATION FOR AN EXTENSION OF TIME	Jul 23, 2012	
6	EXTENSION OF TIME GRANTED	Jul 23, 2012	
7	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Dec 28, 2012	
8	SUSPENDED	Dec 28, 2012	
9	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Feb 25, 2013	
10	SUSPENDED	Feb 25, 2013	
11	STIP TO SUSP PEND SETTL NEGOTIATIONS	Apr 26, 2013	
12	SUSPENDED	Apr 26, 2013	
13	STIP TO SUSP PEND SETTL NEGOTIATIONS	Jun 24, 2013	
14	SUSPENDED	Jun 24, 2013	
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16	SUSPENDED	Aug 23, 2013	
17	STIP TO SUSP PEND SETTL NEGOTIATIONS	Oct 03, 2013	
18	SUSPENDED	Oct 03, 2013	
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20	MOT TO AMEND APPLICATION	Oct 14, 2014	
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22	WIDRAW OF OPPOSITION	Oct 27, 2014	
23	BD DECISION: DISMISSED W/O PREJ	Nov 07, 2014	
24	TERMINATED	Nov 07, 2014	
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USA.gov
Department of Commerce
Strategy Targeting
Organized Piracy



GARAN, INCORPORATED and GARAN SERVICES CORP. v. MANIMAL, LLC -- OPPOSITION NO. 91232774

OPPOSER'S FIRST NOTICE OF RELIANCE

EXHIBIT 5

October 5, 2018

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Starting Oct. 4, 2018, bulk data customers can no longer obtain direct access to TSDR data through tsdrec.uspto.gov. There are two alternative ways to receive bulk data from TSDR.

Trademark Status & Document Retrieval (TSDR) ?

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MULTI-SEARCH ?

US Serial, Registration, or Reference #

3803956

Status

Documents

Status results found

STATUS

DOCUMENTS

MAINTENANCE ?

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Mark: GARANIMALS

GARANIMALS

US Serial Number: 77570759

Application Filing Date: Sep. 16, 2008

US Registration Number: 3803956

Registration Date: Jun. 15, 2010

Register: Principal

Mark Type: Trademark

TMS Common Status

Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: A Sections 8 and 15 combined declaration has been accepted and acknowledged.

Status Date: Aug. 16, 2016

Publication Date: Jul. 14, 2009

Notice of Allowance Date: Oct. 06, 2009

▼ Mark Information

▼ Expand All

Mark Literal Elements: GARANIMALS

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

▼ Related Properties Information

Claimed Ownership of US 1162044, 1393357, 1393358 and others

Registrations:

▼ Goods and Services

Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [] indicate deleted goods/services.
- Double parenthesis (()) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *, * identify additional (new) wording in the goods/services.

For: Footwear

International Class(es): 025 - Primary Class

U.S. Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Apr. 06, 2009

Use in Commerce: Apr. 06, 2009

▼ Basis Information (Case Level)

Filed Use: No

Currently Use: Yes

Amended Use: No

Filed ITU: Yes

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

▼ Current Owner(s) Information

Owner Name: GARAN SERVICES CORP.

Owner Address: 200 Madison Avenue, 4th Floor
New York, NEW YORK UNITED STATES 10116

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

▼ Attorney/Correspondence Information

Attorney of Record

Attorney Name: Robert L. Epstein

Docket Number: 1719-805US

Attorney Primary Email: mail@ipcounselors.com

Attorney Email Authorized: Yes

Address:

Correspondent

Correspondent Name/Address: ROBERT L. EPSTEIN

Epstein Drangel LLP
60 East 42nd Street, Suite 2520
NEW YORK, NEW YORK UNITED STATES 10165-0808

Phone: 212-292-5390

Fax: 212-292-5391

Correspondent e-mail: mail@ipcounselors.com

Correspondent e-mail Yes

Authorized:

Domestic Representative - Not Found

▼ Prosecution History

Date	Description	Proceeding Number
Aug. 16, 2016	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Aug. 16, 2016	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 74886 ACK.	
Aug. 16, 2016	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	74886
Jun. 03, 2016	TEAS SECTION 8 & 15 RECEIVED	
Mar. 18, 2011	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Mar. 18, 2011	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Jun. 15, 2010	REGISTERED-PRINCIPAL REGISTER	
May 13, 2010	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
May 12, 2010	LAW OFFICE REGISTRATION REVIEW COMPLETED	73787
May 11, 2010	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Apr. 20, 2010	STATEMENT OF USE PROCESSING COMPLETE	66230
Apr. 05, 2010	USE AMENDMENT FILED	66230
Apr. 20, 2010	CASE ASSIGNED TO INTENT TO USE PARALEGAL	66230
Apr. 05, 2010	TEAS STATEMENT OF USE RECEIVED	

Oct. 06, 2009	NOA MAILED - SOU REQUIRED FROM APPLICANT		
Jul. 14, 2009	PUBLISHED FOR OPPOSITION		
Jun. 24, 2009	NOTICE OF PUBLICATION		
Jun. 11, 2009	LAW OFFICE PUBLICATION REVIEW COMPLETED	73787	
Jun. 10, 2009	APPROVED FOR PUB - PRINCIPAL REGISTER		
Jun. 08, 2009	TEAS/EMAIL CORRESPONDENCE ENTERED	73787	
Jun. 08, 2009	CORRESPONDENCE RECEIVED IN LAW OFFICE	73787	
Jun. 08, 2009	ASSIGNED TO LIE	73787	
Jun. 05, 2009	TEAS RESPONSE TO OFFICE ACTION RECEIVED		
Dec. 17, 2008	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325	
Dec. 17, 2008	NON-FINAL ACTION E-MAILED	6325	
Dec. 17, 2008	NON-FINAL ACTION WRITTEN	76502	
Dec. 17, 2008	ASSIGNED TO EXAMINER	76502	
Sep. 20, 2008	NOTICE OF PSEUDO MARK MAILED		
Sep. 19, 2008	NEW APPLICATION ENTERED IN TRAM		
▼ Maintenance Filings or Post Registration Information			
Affidavit of Continued Use: Section 8 - Accepted			
Affidavit of Incontestability: Section 15 - Accepted			
▼ TM Staff and Location Information			
TM Staff Information - None			
File Location			
Current Location: TMEG LAW OFFICE 103		Date in Location: Aug. 16, 2016	
▼ Assignment Abstract Of Title Information - None recorded			
▼ Proceedings			
Summary		▼ Party type	▼ Proceeding type
Number of Proceedings: 4			
▼ Type of Proceeding: Opposition			
▼ Expand All			
Proceeding Number: 91239649		Filing Date: Feb 22, 2018	
Status: Pending		Status Date: Feb 22, 2018	
Interlocutory Attorney: MARY CATHERINE FAINT			
Defendant			
Name: The Ultimate Green Store, LLC			
Correspondent Address: MICHAEL D STEWART 150 SE 2ND AVE SUITE 1000 MIAMI FL UNITED STATES , 33131			
Correspondent e-mail: ms@themiamilaw.com , rb@themiamilaw.com			
Associated marks			
Mark	Application Status	Serial Number	Registration Number
ORGANIMALS	Opposition Pending	87498967	
Plaintiff(s)			
Name: Garan Services Corp.			
Correspondent Address: ROBERT L EPSTEIN EPSTEIN DRANGEL LLP 60 EAST 42ND STREET, SUITE 2520 NEW YORK NY UNITED STATES , 10165			
Correspondent e-mail: mail@ipcounselors.com			
Associated marks			
Mark	Application Status	Serial Number	Registration Number
GARANIMAL	REGISTERED AND RENEWED	72422254	954125
GARANIMALS	REGISTERED AND RENEWED	73561825	1393357
GARANIMALS	REGISTERED AND RENEWED	73561869	1393358
GARANIMALS	REGISTERED AND RENEWED	73250046	1162044
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77570759	3803956
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77978022	3706928
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77979530	3823199
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77981916	3994760
GARANIMALS	Registered	85183797	4191352
GARANIMALS BABY BASICS	Section 8 and 15 - Accepted and Acknowledged	77956700	4050024
Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Feb 22, 2018	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE	Feb 22, 2018	Apr 03, 2018
3	PENDING, INSTITUTED	Feb 22, 2018	
4	D APPEARANCE / POWER OF ATTORNEY	Feb 26, 2018	
5	ANSWER	Mar 07, 2018	
▼ Type of Proceeding: Opposition			
Proceeding Number: 91232774		Filing Date: Feb 08, 2017	
Status: Pending		Status Date: Feb 08, 2017	
Interlocutory Attorney: MARY B MYLES			
Defendant			
Name: Manimal, LLC			
Correspondent Address: JAMES D WEINBERGER FROSS ZELNICK LEHRMAN & ZISSU PC 4 TIMES SQUARE, 17TH FLOOR NEW YORK NY UNITED STATES , 10036			
Correspondent e-mail: jweinberger@tltz.com			
Associated marks			
Mark	Application Status	Serial Number	Registration Number
MANIMAL	Opposition Pending	85511299	
Plaintiff(s)			
Name: Garan Incorporated, Garan Services Corp.			
Correspondent Address: ROBERT L EPSTEIN EPSTEIN DRANGEL LLP 60 E 42ND STREET, STE. 2520 NEW YORK NY UNITED STATES , 10165			
Correspondent e-mail: mail@ipcounselors.com			
Associated marks			
Mark	Application Status	Serial Number	Registration Number
GARANIMAL	REGISTERED AND RENEWED	72422254	954125
GARANIMALS	REGISTERED AND RENEWED	73561825	1393357
GARANIMALS	REGISTERED AND RENEWED	73561869	1393358
GARANIMALS	REGISTERED AND RENEWED	73250046	1162044
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77570759	3803956
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77978022	3706928
Section 8 and 15 - Acceted and			

GARANIMALS	Acknowledged	77979530	3823199
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77981916	3994760
Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Feb 08, 2017	
2	NOTICE AND TRIAL DATES SENT, ANSWER DUE	Feb 08, 2017	Mar 20, 2017
3	PENDING, INSTITUTED	Feb 08, 2017	
4	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Mar 16, 2017	
5	SUSPENDED	Mar 16, 2017	
6	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	May 16, 2017	
7	SUSPENDED	May 16, 2017	
8	D CHANGE OF CORRESP ADDRESS	Jul 12, 2017	
9	D MOT FOR EXT W/ CONSENT	Jul 12, 2017	
10	EXTENSION OF TIME GRANTED	Jul 12, 2017	
11	D MOT FOR EXT W/ CONSENT	Aug 14, 2017	
12	EXTENSION OF TIME GRANTED	Aug 14, 2017	
13	D MOT FOR EXT W/ CONSENT	Sep 11, 2017	
14	EXTENSION OF TIME GRANTED	Sep 11, 2017	
15	P MOT TO AMEND PLEADING/AMENDED PLEADING	Sep 29, 2017	
16	TRIAL DATES RESET	Oct 02, 2017	
17	STIP FOR EXT	Oct 24, 2017	
18	EXTENSION OF TIME GRANTED	Oct 24, 2017	
19	ANSWER	Nov 09, 2017	
20	STIP FOR EXT	Jul 13, 2018	
21	EXTENSION OF TIME GRANTED	Jul 13, 2018	
22	D MOT FOR EXT W/ CONSENT	Oct 11, 2018	
23	EXTENSION OF TIME GRANTED	Oct 11, 2018	
▼ Type of Proceeding: Opposition			
Proceeding Number: 91219787		Filing Date: Dec 16, 2014	
Status: Terminated		Status Date: May 20, 2015	
Interlocutory Attorney: CHRISTEN M ENGLISH			
Defendant			
Name: DreamWorks Animation L.L.C.			
Correspondent Address: CHRISTOPHER C LARKIN SEYFARTH SHAW LLP 2029 CENTURY PARK EAST, SUITE 3500 LOS ANGELES CA UNITED STATES , 90067-3021			
Correspondent e-mail: clarking@seyfarth.com , kelko@seyfarth.com			
Associated marks			
Mark	Application Status	Serial Number	Registration Number
DREAMWORKS MECHANIMALS	Abandoned - No Statement Of Use Filed	86323057	
Plaintiff(s)			
Name: Garan Services Corp.			
Correspondent Address: ROBERT L EPSTEIN EPSTEIN DRANGEL LLP ONE GRAND CENTRAL PLACE, 60 EAST 42ND STREET SUITE 2410 NEW YORK NY UNITED STATES , 10165			
Correspondent e-mail: mail@ipcounselors.com			
Associated marks			
Mark	Application Status	Serial Number	Registration Number
GARANIMALS	REGISTERED AND RENEWED	73250046	1162044
GARANIMALS	REGISTERED AND RENEWED	73561825	1393357
GARANIMALS	REGISTERED AND RENEWED	73561869	1393358
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77570759	3803956
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77978022	3706928
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77981916	3994760
365 KIDS FROM GARANIMALS	Registered	85980144	4430103
GARANIMALS EVERYDAY	Registered	85736979	4467507
EVERYDAY GARANIMALS	Registered	85736972	4472043
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77979530	3823199
Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Dec 16, 2014	
2	NOTICE AND TRIAL DATES SENT, ANSWER DUE:	Dec 16, 2014	Jan 25, 2015
3	PENDING, INSTITUTED	Dec 16, 2014	
4	D CHANGE OF CORRESP ADDRESS	Jan 16, 2015	
5	ANSWER	Jan 16, 2015	
6	MOT TO DIVIDE APPLICATION	Feb 04, 2015	
7	BOARD'S ORDER	Apr 02, 2015	
8	D CHANGE OF CORRESP ADDRESS	Apr 08, 2015	
9	MOT TO AMEND APPLICATION	Apr 15, 2015	
10	BD DECISION: DISMISSED W/ PREJ	May 20, 2015	
11	TERMINATED	May 20, 2015	
▼ Type of Proceeding: Opposition			
Proceeding Number: 91203611		Filing Date: Feb 01, 2012	
Status: Terminated		Status Date: Nov 07, 2014	
Interlocutory Attorney: BENJAMIN U OKEKE			
Defendant			
Name: The Mountain Corporation			
Correspondent Address: DANIEL J. BOURQUE BOURQUE & ASSOCIATES 835 HANOVER ST MANCHESTER NH UNITED STATES , 03104-5401			
Correspondent e-mail: dbourque@nhpatlaw.com			
Associated marks			
Mark	Application Status	Serial Number	Registration Number
MANIMALS	Registered	85115633	4918335
Plaintiff(s)			
Name: Garan Services Corp.			
Correspondent Address: ROBERT L EPSTEIN 60 EAST 42ND STREET, SUITE 2410 NEW YORK NY UNITED STATES , 10165			
Correspondent e-mail: mail@ipcounselors.com			
Associated marks			
Mark	Application Status	Serial Number	Registration Number

GARANIMAL	REGISTERED AND RENEWED	72422254	954125
GARANIMALS	REGISTERED AND RENEWED	73561825	1393357
GARANIMALS	REGISTERED AND RENEWED	73561869	1393358
GARANIMALS	REGISTERED AND RENEWED	73250046	1162044
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77570759	3803956
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77978022	3706928
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77979530	3823199
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77981916	3994760
Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Feb 01, 2012	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE	Feb 01, 2012	Mar 12, 2012
3	PENDING, INSTITUTED	Feb 01, 2012	
4	ANSWER	Mar 12, 2012	
5	STIPULATION FOR AN EXTENSION OF TIME	Jul 23, 2012	
6	EXTENSION OF TIME GRANTED	Jul 23, 2012	
7	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Dec 28, 2012	
8	SUSPENDED	Dec 28, 2012	
9	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Feb 25, 2013	
10	SUSPENDED	Feb 25, 2013	
11	STIP TO SUSP PEND SETTL NEGOTIATIONS	Apr 26, 2013	
12	SUSPENDED	Apr 26, 2013	
13	STIP TO SUSP PEND SETTL NEGOTIATIONS	Jun 24, 2013	
14	SUSPENDED	Jun 24, 2013	
15	STIP TO SUSP PEND SETTL NEGOTIATIONS	Aug 23, 2013	
16	SUSPENDED	Aug 23, 2013	
17	STIP TO SUSP PEND SETTL NEGOTIATIONS	Oct 03, 2013	
18	SUSPENDED	Oct 03, 2013	
19	MOT TO AMEND APPLICATION	Feb 18, 2014	
20	MOT TO AMEND APPLICATION	Oct 14, 2014	
21	RESPONSE DUE 30 DAYS (DUE DATE)	Oct 22, 2014	Nov 21, 2014
22	WIDRAW OF OPPOSITION	Oct 27, 2014	
23	BD DECISION: DISMISSED W/O PREJ	Nov 07, 2014	
24	TERMINATED	Nov 07, 2014	

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GARAN, INCORPORATED and GARAN SERVICES CORP. v. MANIMAL, LLC -- OPPOSITION NO. 91232774

OPPOSER'S FIRST NOTICE OF RELIANCE

EXHIBIT 6

October 5, 2018

We believe the recent Trademark Status and Document Retrieval (TSDR) outages have been resolved. There is a possibility you may still experience intermittent outages. If you still need assistance accessing a document, email teas@uspto.gov and include your serial number, the document you are looking for, and a screenshot of any error messages you have received.

Starting Oct. 4, 2018, bulk data customers can no longer obtain direct access to TSDR data through tsdrsec.uspto.gov. There are two alternative ways to receive bulk data from TSDR.

Trademark Status & Document Retrieval (TSDR) ?

SEARCH

MULTI-SEARCH ?

US Serial, Registration, or Reference #

3706928

Status

Documents

Status results found

STATUS

DOCUMENTS

MAINTENANCE ?

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Mark: GARANIMALS

Garanimals

US Serial Number: 77978022

Application Filing Date: Sep. 19, 2007

US Registration Number: 3706928

Registration Date: Nov. 03, 2009

Register: Principal

Mark Type: Trademark

TMS Common Status

Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: A Sections 8 and 15 combined declaration has been accepted and acknowledged.

Status Date: Dec. 12, 2015

Publication Date: Aug. 05, 2008

Notice of Allowance Date: Oct. 28, 2008

Mark Information

Expand All

Mark Literal Elements: GARANIMALS

Standard Character Claim: No

Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)

Description of Mark: The mark consists of the wording "GARANIMALS" with a paw print design appearing over the letter "I" and antenna appearing over the letter "L".

Color(s) Claimed: Color is not claimed as a feature of the mark.

Design Search Code(s): 03.13.01 - Feet, animal; Paws and paw prints; Foot prints, nonhuman
27.03.03 - Animals forming letters or numerals

Related Properties Information

Claimed Ownership of US Registrations: 1162044, 1393357, 1393358 and others

Registrations:

Child Of: 77283778

Goods and Services

Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [] indicate deleted goods/services;
- Double parenthesis (()) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks * - identify additional (new) wording in the goods/services.

For: Clothing, namely, tops and bottoms, sweatshirts, pants, jeans, sweatpants, shorts, leggings, Capris, dresses, hoods, creepers; and footwear, namely, shoes, boots, sandals, sneakers

International Class(es): 025 - Primary Class

U.S. Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Jul. 27, 2009

Use in Commerce: Jul. 27, 2009

Basis Information (Case Level)

Filed Use: No

Currently Use: Yes

Amended Use: No

Filed ITU: Yes

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: GARAN SERVICES CORP.

Owner Address: 200 Madison Avenue, 4th Floor
New York, NEW YORK UNITED STATES 10116

Legal Entity Type: CORPORATION

State or Country Where

Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Robert L. Epstein

Docket Number: 1719-775US

Attorney Primary Email Address: mail@ipcounselors.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: ROBERT L. EPSTEIN
Epstein Drangel LLP
60 E 42nd Street, Suite 2410
NEW YORK, NEW YORK UNITED STATES 10165

Phone: 212-292-5390

Fax: 212-292-5391

Correspondent e-mail: mail@ipcounselors.comCorrespondent e-mail
Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Dec. 12, 2015	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Dec. 12, 2015	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 59136 ACK.	
Dec. 12, 2015	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	59136
Oct. 20, 2015	TEAS SECTION 8 & 15 RECEIVED	
Mar. 18, 2011	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	
Mar. 18, 2011	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Nov. 03, 2009	REGISTERED-PRINCIPAL REGISTER	

Sep. 29, 2009	LAW OFFICE REGISTRATION REVIEW COMPLETED		9/2/9
Sep. 28, 2009	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED		
Sep. 26, 2009	NOTICE OF DESIGN SEARCH CODE MAILED		
Sep. 25, 2009	STATEMENT OF USE PROCESSING COMPLETE	71034	
Sep. 03, 2009	USE AMENDMENT FILED	71034	
Sep. 25, 2009	DIVISIONAL PROCESSING COMPLETE		
Sep. 03, 2009	DIVISIONAL REQUEST RECEIVED		
Sep. 03, 2009	PAPER RECEIVED		
Jun. 09, 2009	EXTENSION 1 GRANTED	71034	
Apr. 28, 2009	EXTENSION 1 FILED	71034	
Jun. 04, 2009	CASE ASSIGNED TO INTENT TO USE PARALEGAL	71034	
May 11, 2009	EXTENSION RECEIVED WITH TEAS PETITION		
May 11, 2009	PETITION TO REVIVE-GRANTED	88889	
May 11, 2009	TEAS PETITION TO REVIVE RECEIVED		
Oct. 28, 2008	NOA MAILED - SOU REQUIRED FROM APPLICANT		
Aug. 05, 2008	PUBLISHED FOR OPPOSITION		
Jul. 16, 2008	NOTICE OF PUBLICATION		
Jul. 03, 2008	LAW OFFICE PUBLICATION REVIEW COMPLETED	67215	
Jun. 30, 2008	APPROVED FOR PUB - PRINCIPAL REGISTER		
Jun. 30, 2008	EXAMINER'S AMENDMENT ENTERED	88888	
Jun. 30, 2008	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328	
Jun. 30, 2008	EXAMINERS AMENDMENT E-MAILED	6328	
Jun. 30, 2008	EXAMINERS AMENDMENT -WRITTEN	83189	
Jun. 27, 2008	TEAS/EMAIL CORRESPONDENCE ENTERED	67215	
Jun. 27, 2008	CORRESPONDENCE RECEIVED IN LAW OFFICE	67215	
Jun. 25, 2008	ASSIGNED TO LIE	67215	
Jun. 25, 2008	TEAS RESPONSE TO OFFICE ACTION RECEIVED		
Dec. 27, 2007	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325	
Dec. 27, 2007	NON-FINAL ACTION E-MAILED	6325	
Dec. 27, 2007	NON-FINAL ACTION WRITTEN	83189	
Dec. 21, 2007	ASSIGNED TO EXAMINER	83189	
Sep. 25, 2007	NOTICE OF DESIGN SEARCH CODE MAILED		
Sep. 24, 2007	NEW APPLICATION ENTERED IN TRAM		
▼ Maintenance Filings or Post Registration Information			
Affidavit of Continued Use: Section 8 - Accepted			
Affidavit of Incontestability: Section 15 - Accepted			
▼ TM Staff and Location Information			
TM Staff Information - None			
File Location			
Current Location: TMO LAW OFFICE 112		Date in Location: Dec. 12, 2015	
▼ Assignment Abstract Of Title Information - None recorded			
▼ Proceedings			
Summary		▼ Party type	▼ Proceeding type
Number of Proceedings: 4			
▼ Type of Proceeding: Opposition			
▼ Expand All			
Proceeding Number: 91239649		Filing Date: Feb 22, 2018	
Status: Pending		Status Date: Feb 22, 2018	
Interlocutory Attorney: MARY CATHERINE FAINT			
Defendant			
Name: The Ultimate Green Store, LLC			
Correspondent Address: MICHAEL D STEWART 150 SE 2ND AVE SUITE 1000 MIAMI FL UNITED STATES , 33131			
Correspondent e-mail: ms@themiamilaw.com , rb@themiamilaw.com			
Associated marks			
Mark	Application Status	Serial Number	Registration Number
ORGANIMALS	Opposition Pending	87498967	
Plaintiff(s)			
Name: Garan Services Corp.			
Correspondent Address: ROBERT L EPSTEIN EPSTEIN DRANGEL LLP 60 EAST 42ND STREET, SUITE 2520 NEW YORK NY UNITED STATES , 10165			
Correspondent e-mail: mail@ipcounselors.com			
Associated marks			
Mark	Application Status	Serial Number	Registration Number
GARANIMAL	REGISTERED AND RENEWED	72422254	954125
GARANIMALS	REGISTERED AND RENEWED	73561825	1393357
GARANIMALS	REGISTERED AND RENEWED	73561869	1393358
GARANIMALS	REGISTERED AND RENEWED	73250046	1162044
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77570759	3803956
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77978022	3706928
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77979530	3823199
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77981916	3994760
GARANIMALS	Registered	85183797	4191352
GARANIMALS BABY BASICS	Section 8 and 15 - Accepted and Acknowledged	77956700	4050024
Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Feb 22, 2018	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE.	Feb 22, 2018	Apr 03, 2018
3	PENDING, INSTITUTED	Feb 22, 2018	
4	D APPEARANCE / POWER OF ATTORNEY	Feb 26, 2018	
5	ANSWER	Mar 07, 2018	
▼ Type of Proceeding: Opposition			
Proceeding Number: 91232774		Filing Date: Feb 08, 2017	
Status: Pending		Status Date: Feb 08, 2017	
Interlocutory Attorney: MARY B MYLES			
Defendant			
Name: Manimal, LLC			
Correspondent Address: JAMES D WEINBERGER FROSS ZELNICK LEHRMAN & ZISSU PC 4 TIMES SQUARE, 17TH FLOOR NEW YORK NY UNITED STATES , 10036			
Correspondent e-mail: jweinberger@tlz.com			
Associated marks			

Mark	Application Status	Serial Number	Registration Number
MANIMAL	Opposition Pending	85511299	
Plaintiff(s)			
Name: Garan Incorporated, Garan Services Corp.			
Correspondent Address: ROBERT L EPSTEIN EPSTEIN DRANGEL LLP 60 E 42ND STREET, STE. 2520 NEW YORK NY UNITED STATES . 10165			
Correspondent e-mail: mail@ipcounselors.com			
Associated marks			
Mark	Application Status	Serial Number	Registration Number
GARANIMAL	REGISTERED AND RENEWED	72422254	954125
GARANIMALS	REGISTERED AND RENEWED	73561825	1393357
GARANIMALS	REGISTERED AND RENEWED	73561869	1393358
GARANIMALS	REGISTERED AND RENEWED	73250046	1162044
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77570759	3803956
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77978022	3706928
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77979530	3823199
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77981916	3994780
Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Feb 08, 2017	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Feb 08, 2017	Mar 20, 2017
3	PENDING, INSTITUTED	Feb 08, 2017	
4	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Mar 16, 2017	
5	SUSPENDED	Mar 16, 2017	
6	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	May 16, 2017	
7	SUSPENDED	May 16, 2017	
8	D CHANGE OF CORRESP ADDRESS	Jul 12, 2017	
9	D MOT FOR EXT W/ CONSENT	Jul 12, 2017	
10	EXTENSION OF TIME GRANTED	Jul 12, 2017	
11	D MOT FOR EXT W/ CONSENT	Aug 14, 2017	
12	EXTENSION OF TIME GRANTED	Aug 14, 2017	
13	D MOT FOR EXT W/ CONSENT	Sep 11, 2017	
14	EXTENSION OF TIME GRANTED	Sep 11, 2017	
15	P MOT TO AMEND PLEADING/AMENDED PLEADING	Sep 29, 2017	
16	TRIAL DATES RESET	Oct 02, 2017	
17	STIP FOR EXT	Oct 24, 2017	
18	EXTENSION OF TIME GRANTED	Oct 24, 2017	
19	ANSWER	Nov 09, 2017	
20	STIP FOR EXT	Jul 13, 2018	
21	EXTENSION OF TIME GRANTED	Jul 13, 2018	
22	D MOT FOR EXT W/ CONSENT	Oct 11, 2018	
23	EXTENSION OF TIME GRANTED	Oct 11, 2018	
Type of Proceeding: Opposition			
Proceeding Number: 91219787		Filing Date:	Dec 16, 2014
Status: Terminated		Status Date:	May 20, 2015
Interlocutory Attorney: CHRISTEN M ENGLISH			
Defendant			
Name: DreamWorks Animation L.L.C.			
Correspondent Address: CHRISTOPHER C LARKIN SEYFARTH SHAW LLP 2029 CENTURY PARK EAST, SUITE 3500 LOS ANGELES CA UNITED STATES . 90067-3021			
Correspondent e-mail: clarkin@seyfarth.com , kelko@seyfarth.com			
Associated marks			
Mark	Application Status	Serial Number	Registration Number
DREAMWORKS MECHANIMALS	Abandoned - No Statement Of Use Filed	86323057	
Plaintiff(s)			
Name: Garan Services Corp.			
Correspondent Address: ROBERT L EPSTEIN EPSTEIN DRANGEL LLP ONE GRAND CENTRAL PLACE, 60 EAST 42ND STREET SUITE 2410 NEW YORK NY UNITED STATES . 10165			
Correspondent e-mail: mail@ipcounselors.com			
Associated marks			
Mark	Application Status	Serial Number	Registration Number
GARANIMALS	REGISTERED AND RENEWED	73250046	1162044
GARANIMALS	REGISTERED AND RENEWED	73561825	1393357
GARANIMALS	REGISTERED AND RENEWED	73561869	1393358
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77570759	3803956
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77978022	3706928
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77981916	3994780
365 KIDS FROM GARANIMALS	Registered	85980144	4430103
GARANIMALS EVERYDAY	Registered	85736979	4467507
EVERYDAY GARANIMALS	Registered	85736972	4472043
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77979530	3823199
Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Dec 16, 2014	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Dec 16, 2014	Jan 25, 2015
3	PENDING, INSTITUTED	Dec 16, 2014	
4	D CHANGE OF CORRESP ADDRESS	Jan 16, 2015	
5	ANSWER	Jan 16, 2015	
6	MOT TO DIVIDE APPLICATION	Feb 04, 2015	
7	BOARD'S ORDER	Apr 02, 2015	
8	D CHANGE OF CORRESP ADDRESS	Apr 08, 2015	
9	MOT TO AMEND APPLICATION	Apr 15, 2015	
10	BD DECISION: DISMISSED W/ PREJ	May 20, 2015	
11	TERMINATED	May 20, 2015	
Type of Proceeding: Opposition			
Proceeding Number: 91203611		Filing Date:	Feb 01, 2012
Status: Terminated		Status Date:	Nov 07, 2014

Interlocutory Attorney: BENJAMIN U OKEKE

Defendant

Name: The Mountain Corporation

Correspondent Address: DANIEL J. BOURQUE
BOURQUE & ASSOCIATES
835 HANOVER ST
MANCHESTER NH UNITED STATES , 03104-5401

Correspondent e-mail: dbourque@nhpatlaw.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
MANIMALS	Registered	85115633	4918335

Plaintiff(s)

Name: Garan Services Corp.

Correspondent Address: ROBERT L EPSTEIN
60 EAST 42ND STREET, SUITE 2410
NEW YORK NY UNITED STATES , 10165

Correspondent e-mail: mail@ipcounselors.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
GARANIMAL	REGISTERED AND RENEWED	72422254	954125
GARANIMALS	REGISTERED AND RENEWED	73561825	1393357
GARANIMALS	REGISTERED AND RENEWED	73561869	1393358
GARANIMALS	REGISTERED AND RENEWED	73250046	1162044
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77570759	3803956
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77978022	3706928
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77979530	3823199
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77981916	3994760

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Feb 01, 2012	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Feb 01, 2012	Mar 12, 2012
3	PENDING, INSTITUTED	Feb 01, 2012	
4	ANSWER	Mar 12, 2012	
5	STIPULATION FOR AN EXTENSION OF TIME	Jul 23, 2012	
6	EXTENSION OF TIME GRANTED	Jul 23, 2012	
7	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Dec 28, 2012	
8	SUSPENDED	Dec 28, 2012	
9	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Feb 25, 2013	
10	SUSPENDED	Feb 25, 2013	
11	STIP TO SUSP PEND SETTL NEGOTIATIONS	Apr 26, 2013	
12	SUSPENDED	Apr 26, 2013	
13	STIP TO SUSP PEND SETTL NEGOTIATIONS	Jun 24, 2013	
14	SUSPENDED	Jun 24, 2013	
15	STIP TO SUSP PEND SETTL NEGOTIATIONS	Aug 23, 2013	
16	SUSPENDED	Aug 23, 2013	
17	STIP TO SUSP PEND SETTL NEGOTIATIONS	Oct 03, 2013	
18	SUSPENDED	Oct 03, 2013	
19	MOT TO AMEND APPLICATION	Feb 18, 2014	
20	MOT TO AMEND APPLICATION	Oct 14, 2014	
21	RESPONSE DUE 30 DAYS (DUE DATE)	Oct 22, 2014	Nov 21, 2014
22	W/DRAW OF OPPOSITION	Oct 27, 2014	
23	BD DECISION: DISMISSED W/O PREJ	Nov 07, 2014	
24	TERMINATED	Nov 07, 2014	

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PATENT AND TRADEMARK OFFICE

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USA.gov

Department of Commerce

Strategy Targeting

Organized Piracy



GARAN, INCORPORATED and GARAN SERVICES CORP. v. MANIMAL, LLC -- OPPOSITION NO. 91232774

OPPOSER'S FIRST NOTICE OF RELIANCE

EXHIBIT 7

October 5, 2018

We believe the recent Trademark Status and Document Retrieval (TSDR) outages have been resolved. There is a possibility you may still experience intermittent outages. If you still need assistance accessing a document, email teas@uspto.gov and include your serial number, the document you are looking for, and a screenshot of any error messages you have received.

Starting Oct. 4, 2018, bulk data customers can no longer obtain direct access to TSDR data through tsdrc.uspto.gov. There are two alternative ways to receive bulk data from TSDR.

Trademark Status & Document Retrieval (TSDR) ?

SEARCH

MULTI-SEARCH ?

US Serial, Registration, or Reference #

3823199

Status

Documents

Status results found

STATUS

DOCUMENTS

MAINTENANCE ?

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Mark: GARANIMALS

GARANIMALS

US Serial Number: 77979530

Application Filing Date: Sep. 18, 2008

US Registration Number: 3823199

Registration Date: Jul. 20, 2010

Register: Principal

Mark Type: Trademark

TMS Common Status

Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: A Sections 8 and 15 combined declaration has been accepted and acknowledged.

Status Date: Apr. 02, 2016

Publication Date: Jul. 21, 2009

Notice of Allowance Date: Oct. 13, 2009

Mark Information

Expand All

Mark Literal Elements: GARANIMALS

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Related Properties Information

Claimed Ownership of US 1162044, 1393357, 1393358 and others

Registrations:

Child Of: 77573447

Goods and Services

Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [] indicate deleted goods/services;
- Double parenthesis (()) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks "*" identify additional (new) wording in the goods/services.

For: Toys, games and playthings, namely, stuffed toys, plush toys, bean bag plush, puppets, toy plastic figures, plastic playsets for use in the bath or at the beach, plastic playsets, namely, plastic shape sorters, plastic stacking blocks, learning toys, pull toys, musical toys, board games, card games, matching games, puzzles, toy building blocks, toy soft blocks

International Class(es): 028 - Primary Class

U.S. Class(es): 022, 023, 038, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Sep. 2009

Use in Commerce: Sep. 2009

Basis Information (Case Level)

Filed Use: No

Currently Use: Yes

Amended Use: No

Filed ITU: Yes

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: GARAN SERVICES CORP.

Owner Address: 200 Madison Avenue, 4th Floor
New York, NEW YORK UNITED STATES 10116

Legal Entity Type: CORPORATION

State or Country Where
Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Robert L. Epstein

Docket Number: 1719-806US

Attorney Primary Email Address: mail@ipcounselors.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: ROBERT L. EPSTEIN
Epstein Drangel LLP60 East 42nd Street, Suite 2520
NEW YORK, NEW YORK UNITED STATES 10165

Phone: (212)292-5390

Fax: (212)292-5391

Correspondent e-mail: mail@ipcounselors.comCorrespondent e-mail
Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Apr. 02, 2016	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Apr. 02, 2016	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK	70132
Apr. 02, 2016	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	70132
Feb. 05, 2016	TEAS SECTION 8 & 15 RECEIVED	
Jul. 20, 2010	REGISTERED-PRINCIPAL REGISTER	
Jun. 12, 2010	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Jun. 11, 2010	LAW OFFICE REGISTRATION REVIEW COMPLETED	68123
Jun. 11, 2010	ASSIGNED TO LIE	68123
May 27, 2010	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
May 07, 2010	NOTICE OF PSEUDO MARK MAILED	
May 06, 2010	STATEMENT OF USE PROCESSING COMPLETE	71034
Apr. 13, 2010	USE AMENDMENT FILED	71034

May 06, 2010

DIVISIONAL PROCESSING COMPLETE

Apr 13, 2010

DIVISIONAL REQUEST RECEIVED

Apr 30, 2010

CASE ASSIGNED TO INTENT TO USE PARALEGAL 71034

Apr 13, 2010

TEAS REQUEST TO DIVIDE RECEIVED

Apr 13, 2010

TEAS STATEMENT OF USE RECEIVED

Oct 13, 2009

NOA MAILED - SOU REQUIRED FROM APPLICANT

Jul 21, 2009

PUBLISHED FOR OPPOSITION

Jul 01, 2009

NOTICE OF PUBLICATION

Jun 12, 2009

LAW OFFICE PUBLICATION REVIEW COMPLETED 71441

Jun 09, 2009

ASSIGNED TO LIE 71441

Jun 08, 2009

APPROVED FOR PUB - PRINCIPAL REGISTER

Jun 05, 2009

TEAS/EMAIL CORRESPONDENCE ENTERED 88889

Jun 05, 2009

CORRESPONDENCE RECEIVED IN LAW OFFICE 88889

Jun 05, 2009

TEAS RESPONSE TO OFFICE ACTION RECEIVED

Dec 17, 2008

NOTIFICATION OF NON-FINAL ACTION E-MAILED 6325

Dec 17, 2008

NON-FINAL ACTION E-MAILED 6325

Dec 17, 2008

NON-FINAL ACTION WRITTEN 76502

Dec 17, 2008

ASSIGNED TO EXAMINER 76502

Sep 23, 2008

NOTICE OF PSEUDO MARK MAILED

Sep 22, 2008

NEW APPLICATION ENTERED IN TRAM

▼ Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

▼ TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: TMEG LAW OFFICE 103

Date in Location: Apr. 02, 2016

▼ Assignment Abstract Of Title Information - None recorded

▼ Proceedings

Summary

▼ Party type

▼ Proceeding type

Number of Proceedings: 4

▼ Type of Proceeding: Opposition

▼ Expand All

Proceeding Number: 91239649

Status: Pending

Interlocutory Attorney: MARY CATHERINE FAINT

Defendant

Name: The Ultimate Green Store, LLC

Correspondent Address: MICHAEL D STEWART
150 SE 2ND AVE SUITE 1000
MIAMI FL UNITED STATES , 33131

Correspondent e-mail: ms@themiamilaw.com , rb@themiamilaw.com

Associated marks

Mark

Application Status

Serial Number

Registration Number

ORGANIMALS

Opposition Pending

87498967

Name: Garan Services Corp.

Correspondent Address: ROBERT L EPSTEIN
EPSTEIN DRANGEL LLP
60 EAST 42ND STREET, SUITE 2520
NEW YORK NY UNITED STATES , 10165

Correspondent e-mail: mail@ipcounselors.com

Plaintiff(s)

Associated marks

Mark

Application Status

Serial Number

Registration Number

GARANIMAL

REGISTERED AND RENEWED

72422254

954125

GARANIMALS

REGISTERED AND RENEWED

73561825

1393357

GARANIMALS

REGISTERED AND RENEWED

73561869

1393358

GARANIMALS

REGISTERED AND RENEWED

73250048

1162044

GARANIMALS

Section 8 and 15 - Accepted and Acknowledged

77570759

3803956

GARANIMALS

Section 8 and 15 - Accepted and Acknowledged

77978022

3706928

GARANIMALS

Section 8 and 15 - Accepted and Acknowledged

77979530

3823199

GARANIMALS

Section 8 and 15 - Accepted and Acknowledged

77981916

3994760

GARANIMALS

Registered

85183797

4191352

GARANIMALS BABY BASICS

Section 8 and 15 - Accepted and Acknowledged

77956700

4050024

Prosecution History

Entry Number

History Text

Date

Due Date

1

FILED AND FEE

Feb 22, 2018

2

NOTICE AND TRIAL DATES SENT; ANSWER DUE

Feb 22, 2018

Apr 03, 2018

3

PENDING, INSTITUTED

Feb 22, 2018

4

D APPEARANCE / POWER OF ATTORNEY

Feb 26, 2018

5

ANSWER

Mar 07, 2018

▼ Type of Proceeding: Opposition

Proceeding Number: 91232774

Status: Pending

Interlocutory Attorney: MARY B MYLES

Defendant

Name: Manimal, LLC

Correspondent Address: JAMES D WEINBERGER
FROSS ZELNICK LEHRMAN & ZISSU PC
4 TIMES SQUARE, 17TH FLOOR
NEW YORK NY UNITED STATES , 10036

Correspondent e-mail: jweinberger@tlz.com

Associated marks

Mark

Application Status

Serial Number

Registration Number

MANIMAL

Opposition Pending

85511299

Name: Garan Incorporated, Garan Services Corp.

Correspondent Address: ROBERT L EPSTEIN
EPSTEIN DRANGEL LLP
60 E 42ND STREET, STE. 2520
NEW YORK NY UNITED STATES , 10165

Correspondent e-mail: mail@ipcounselors.com

Plaintiff(s)

Associated marks

Mark

Application Status

Serial Number

Registration Number

GARANIMAL

REGISTERED AND RENEWED

72422254

954125

GARANIMALS

REGISTERED AND RENEWED

73561825

1393357

GARANIMALS

REGISTERED AND RENEWED

73561869

1393358

GARANIMALS	REGISTERED AND RENEWED	73250046	1162044
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77570759	3803956
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77978022	3706928
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77979530	3823199
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77981916	3994760
Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Feb 08, 2017	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE	Feb 08, 2017	Mar 20, 2017
3	PENDING, INSTITUTED	Feb 08, 2017	
4	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Mar 16, 2017	
5	SUSPENDED	Mar 16, 2017	
6	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	May 16, 2017	
7	SUSPENDED	May 16, 2017	
8	D CHANGE OF CORRESP ADDRESS	Jul 12, 2017	
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10	EXTENSION OF TIME GRANTED	Jul 12, 2017	
11	D MOT FOR EXT W/ CONSENT	Aug 14, 2017	
12	EXTENSION OF TIME GRANTED	Aug 14, 2017	
13	D MOT FOR EXT W/ CONSENT	Sep 11, 2017	
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22	D MOT FOR EXT W/ CONSENT	Oct 11, 2018	
23	EXTENSION OF TIME GRANTED	Oct 11, 2018	
▼ Type of Proceeding: Opposition			
Proceeding Number: 91219787		Filing Date: Dec 16, 2014	
Status: Terminated		Status Date: May 20, 2015	
Interlocutory Attorney: CHRISTEN M ENGLISH			
Defendant			
Name: DreamWorks Animation L.L.C.			
Correspondent Address: CHRISTOPHER C LARKIN SEYFARTH SHAW LLP 2029 CENTURY PARK EAST, SUITE 3500 LOS ANGELES CA UNITED STATES , 90067-3021			
Correspondent e-mail: clarking@seyfarth.com , kelko@seyfarth.com			
Associated marks			
Mark	Application Status	Serial Number	Registration Number
DREAMWORKS MECHANIMALS	Abandoned - No Statement Of Use Filed	86323057	
Plaintiff(s)			
Name: Garan Services Corp.			
Correspondent Address: ROBERT L EPSTEIN EPSTEIN DRANGEL LLP ONE GRAND CENTRAL PLACE, 60 EAST 42ND STREET SUITE 2410 NEW YORK NY UNITED STATES , 10165			
Correspondent e-mail: mal@ipcounselors.com			
Associated marks			
Mark	Application Status	Serial Number	Registration Number
GARANIMALS	REGISTERED AND RENEWED	73250046	1162044
GARANIMALS	REGISTERED AND RENEWED	73561825	1393357
GARANIMALS	REGISTERED AND RENEWED	73561869	1393358
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GARANIMALS EVERYDAY	Registered	85736979	4467507
EVERYDAY GARANIMALS	Registered	85736972	4472043
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77979530	3823199
Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Dec 16, 2014	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE	Dec 16, 2014	Jan 25, 2015
3	PENDING, INSTITUTED	Dec 16, 2014	
4	D CHANGE OF CORRESP ADDRESS	Jan 16, 2015	
5	ANSWER	Jan 16, 2015	
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7	BOARD'S ORDER	Apr 02, 2015	
8	D CHANGE OF CORRESP ADDRESS	Apr 08, 2015	
9	MOT TO AMEND APPLICATION	Apr 15, 2015	
10	BD DECISION: DISMISSED W/ PREJ	May 20, 2015	
11	TERMINATED	May 20, 2015	
▼ Type of Proceeding: Opposition			
Proceeding Number: 91203611		Filing Date: Feb 01, 2012	
Status: Terminated		Status Date: Nov 07, 2014	
Interlocutory Attorney: BENJAMIN U OKEKE			
Defendant			
Name: The Mountain Corporation			
Correspondent Address: DANIEL J. BOURQUE BOURQUE & ASSOCIATES 835 HANOVER ST MANCHESTER NH UNITED STATES , 03104-5401			
Correspondent e-mail: dbourque@nhpatlaw.com			
Associated marks			
Mark	Application Status	Serial Number	Registration Number
MANIMALS	Registered	85115633	4918335
Plaintiff(s)			
Name: Garan Services Corp.			
Correspondent Address: ROBERT L EPSTEIN			

60 EAST 42ND STREET, SUITE 2410
NEW YORK NY UNITED STATES , 10165

Correspondent e-mail: mail@ipcounselors.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
GARANIMAL	REGISTERED AND RENEWED	72422254	954125
GARANIMALS	REGISTERED AND RENEWED	73561825	1393357
GARANIMALS	REGISTERED AND RENEWED	73561869	1393358
GARANIMALS	REGISTERED AND RENEWED	73250046	1162044
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77570759	3803956
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77978022	3706928
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77979530	3823199
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77981916	3994760

Prosecution History			
Entry Number	History Text	Date	Due Date
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2	NOTICE AND TRIAL DATES SENT; ANSWER DUE	Feb 01, 2012	Mar 12, 2012
3	PENDING, INSTITUTED	Feb 01, 2012	
4	ANSWER	Mar 12, 2012	
5	STIPULATION FOR AN EXTENSION OF TIME	Jul 23, 2012	
6	EXTENSION OF TIME GRANTED	Jul 23, 2012	
7	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Dec 28, 2012	
8	SUSPENDED	Dec 28, 2012	
9	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Feb 25, 2013	
10	SUSPENDED	Feb 25, 2013	
11	STIP TO SUSP PEND SETTL NEGOTIATIONS	Apr 26, 2013	
12	SUSPENDED	Apr 26, 2013	
13	STIP TO SUSP PEND SETTL NEGOTIATIONS	Jun 24, 2013	
14	SUSPENDED	Jun 24, 2013	
15	STIP TO SUSP PEND SETTL NEGOTIATIONS	Aug 23, 2013	
16	SUSPENDED	Aug 23, 2013	
17	STIP TO SUSP PEND SETTL NEGOTIATIONS	Oct 03, 2013	
18	SUSPENDED	Oct 03, 2013	
19	MOT TO AMEND APPLICATION	Feb 18, 2014	
20	MOT TO AMEND APPLICATION	Oct 14, 2014	
21	RESPONSE DUE 30 DAYS (DUE DATE)	Oct 22, 2014	Nov 21, 2014
22	WIDRAW OF OPPOSITION	Oct 27, 2014	
23	BD DECISION: DISMISSED W/O PREJ	Nov 07, 2014	
24	TERMINATED	Nov 07, 2014	

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GARAN, INCORPORATED and GARAN SERVICES CORP. v. MANIMAL, LLC -- OPPOSITION NO. 91232774

OPPOSER'S FIRST NOTICE OF RELIANCE

EXHIBIT 8

October 5, 2018

We believe the recent Trademark Status and Document Retrieval (TSDR) outages have been resolved. There is a possibility you may still experience intermittent outages. If you still need assistance accessing a document, email teas@uspto.gov and include your serial number, the document you are looking for, and a screenshot of any error messages you have received.

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Trademark Status & Document Retrieval (TSDR) ?

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MULTI-SEARCH ?

US Serial, Registration, or Reference #

3994760

Status

Documents

Status results found

STATUS DOCUMENTS MAINTENANCE ? Download Print Preview

Generated on: This page was generated by TSDR on 2018-10-15 14:26:10 EDT

Mark: GARANIMALS

Garanimals

US Serial Number: 77981916

Application Filing Date: Sep. 19, 2007

US Registration Number: 3994760

Registration Date: Jul. 12, 2011

Register: Principal

Mark Type: Trademark

TMS Common Status

Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: A Sections 8 and 15 combined declaration has been accepted and acknowledged.

Status Date: Sep. 06, 2017

Publication Date: Aug. 05, 2008

Notice of Allowance Date: Oct. 28, 2008

Mark Information

Expand All

Mark Literal Elements: GARANIMALS

Standard Character Claim: No

Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)

Description of Mark: The mark consists of the wording "GARANIMALS" with a paw print design appearing over the letter "I", some whiskers appearing on the back of the third letter "A" and an antenna appearing over the letter "L".

Color(s) Claimed: Color is not claimed as a feature of the mark.

Design Search Code(s): 03.13.01 - Feet, animal; Paws and paw prints; Foot prints, nonhuman
27.03.03 - Animals forming letters or numerals

Related Properties Information

Claimed Ownership of US 1162044, 1393357, 1393358 and others

Registrations:

Child Of: 77283778

Goods and Services

Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [] indicate deleted goods/services;
- Double parenthesis (()) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks * - identify additional (new) wording in the goods/services.

For: Sweaters, jeans, bathing suits, swimwear, sleepwear, leotards, tights, rompers, underwear, hosiery[, outerwear, namely, coats, jackets, scarves, headwear, namely, hats, earmuffs, ski masks; gloves, belts, socks]

International Class(es): 025 - Primary Class

U.S. Class(es): 022, 039

Class Status: ACTIVE

Basis: 1(a)

First Use: Nov. 2007

Use in Commerce: Nov. 2007

Basis Information (Case Level)

Filed Use: No

Currently Use: Yes

Amended Use: No

Filed ITU: Yes

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: No

Currently 66A: No

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: GARAN SERVICES CORP.

Owner Address: 200 Madison Avenue, 4th Floor
New York, NEW YORK UNITED STATES 10116

Legal Entity Type: CORPORATION

State or Country Where

Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Robert L. Epstein

Docket Number: 1719-775C

Attorney Primary Email Address: mail@ipcounselors.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: ROBERT L. EPSTEIN
Epstein Drangel LLP60 East 42nd Street, Suite 2520
NEW YORK, NEW YORK UNITED STATES 10165

Phone: (212) 292-5390

Fax: (212) 292-5391

Correspondent e-mail: mail@ipcounselors.com

Correspondent e-mail Yes

Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Sep. 06, 2017	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Sep. 06, 2017	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 68335 ACK.	
Aug. 14, 2017	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	68335
Jul. 06, 2017	TEAS SECTION 8 & 15 RECEIVED	
Jul. 12, 2011	REGISTERED-PRINCIPAL REGISTER	
Jun. 04, 2011	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Jun. 03, 2011	LAW OFFICE REGISTRATION REVIEW COMPLETED	67287

Jun. 02, 2011	ASSIGNED TO LIE	01/281
May 17, 2011	ASSIGNED TO LIE	70124
May 16, 2011	ASSIGNED TO LIE	67287
Apr. 29, 2011	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Apr. 29, 2011	NOTICE OF DESIGN SEARCH CODE MAILED	
Apr. 28, 2011	STATEMENT OF USE PROCESSING COMPLETE	71034
Apr. 25, 2011	USE AMENDMENT FILED	71034
Apr. 28, 2011	DIVISIONAL PROCESSING COMPLETE	
Apr. 25, 2011	DIVISIONAL REQUEST RECEIVED	
Apr. 25, 2011	TEAS REQUEST TO DIVIDE RECEIVED	
Apr. 25, 2011	TEAS STATEMENT OF USE RECEIVED	
Apr. 25, 2011	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Oct. 26, 2010	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Oct. 25, 2010	EXTENSION 4 GRANTED	71034
Oct. 23, 2010	EXTENSION 4 FILED	71034
Oct. 23, 2010	TEAS EXTENSION RECEIVED	
Apr. 20, 2010	NOTICE OF APPROVAL OF EXTENSION REQUEST E-MAILED	
Apr. 19, 2010	EXTENSION 3 GRANTED	71034
Apr. 16, 2010	EXTENSION 3 FILED	71034
Apr. 16, 2010	TEAS EXTENSION RECEIVED	
Sep. 25, 2009	EXTENSION 2 GRANTED	71034
Sep. 03, 2009	EXTENSION 2 FILED	71034
Sep. 25, 2009	DIVISIONAL PROCESSING COMPLETE	
Sep. 03, 2009	DIVISIONAL REQUEST RECEIVED	
Sep. 03, 2009	PAPER RECEIVED	
Jun. 09, 2009	EXTENSION 1 GRANTED	71034
Apr. 28, 2009	EXTENSION 1 FILED	71034
Jun. 04, 2009	CASE ASSIGNED TO INTENT TO USE PARALEGAL	71034
May 11, 2009	EXTENSION RECEIVED WITH TEAS PETITION	
May 11, 2009	PETITION TO REVIVE-GRANTED	88889
May 11, 2009	TEAS PETITION TO REVIVE RECEIVED	
Oct. 28, 2008	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Aug. 05, 2008	PUBLISHED FOR OPPOSITION	
Jul. 16, 2008	NOTICE OF PUBLICATION	
Jul. 03, 2008	LAW OFFICE PUBLICATION REVIEW COMPLETED	67215
Jun. 30, 2008	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 30, 2008	EXAMINER'S AMENDMENT ENTERED	88888
Jun. 30, 2008	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Jun. 30, 2008	EXAMINERS AMENDMENT E-MAILED	6328
Jun. 30, 2008	EXAMINERS AMENDMENT -WRITTEN	83189
Jun. 27, 2008	TEAS/EMAIL CORRESPONDENCE ENTERED	67215
Jun. 27, 2008	CORRESPONDENCE RECEIVED IN LAW OFFICE	67215
Jun. 25, 2008	ASSIGNED TO LIE	67215
Jun. 25, 2008	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Dec. 27, 2007	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Dec. 27, 2007	NON-FINAL ACTION E-MAILED	6325
Dec. 27, 2007	NON-FINAL ACTION WRITTEN	83189
Dec. 21, 2007	ASSIGNED TO EXAMINER	83189
Sep. 25, 2007	NOTICE OF DESIGN SEARCH CODE MAILED	
Sep. 24, 2007	NEW APPLICATION ENTERED IN TRAM	
▼ Maintenance Filings or Post Registration Information		
Affidavit of Continued Use: Section 8 - Accepted		
Affidavit of Incontestability: Section 15 - Accepted		
▼ TM Staff and Location Information		
TM Staff Information - None		
File Location		
Current Location: TMO LAW OFFICE 112		Date in Location: Sep. 06, 2017
▼ Assignment Abstract Of Title Information - None recorded		
▼ Proceedings		
Summary		▼ Party type
▼ Proceeding type		
Number of Proceedings: 4		
▼ Type of Proceeding: Opposition		
▼ Expand All		
Proceeding Number: 91239649		Filing Date: Feb 22, 2016
Status: Pending		Status Date: Feb 22, 2016
Interlocutory Attorney: MARY CATHERINE FAINT		
Defendant		
Name: The Ultimate Green Store, LLC		
Correspondent Address: MICHAEL D STEWART 150 SE 2ND AVE SUITE 1000 MIAMI FL UNITED STATES , 33131		
Correspondent e-mail: ms@themiamlaw.com , rb@themiamlaw.com		
Associated marks		
Mark	Application Status	Serial Number
ORGANIMALS	Opposition Pending	87498967
Plaintiff(s)		
Name: Garan Services Corp.		
Correspondent Address: ROBERT L EPSTEIN EPSTEIN DRANGEL LLP 60 EAST 42ND STREET, SUITE 2520 NEW YORK NY UNITED STATES , 10165		
Correspondent e-mail: mail@ipcounselors.com		
Associated marks		
Mark	Application Status	Serial Number
GARANIMAL	REGISTERED AND RENEWED	72422254
GARANIMALS	REGISTERED AND RENEWED	73561825
GARANIMALS	REGISTERED AND RENEWED	73561869
GARANIMALS	REGISTERED AND RENEWED	73250046
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77570759
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77978022
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77979530
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77981916
GARANIMALS	Registered	85183797
GARANIMALS BABY BASICS	Section 8 and 15 - Accepted and Acknowledged	77956700
Prosecution History		
Entry Number	History Text	Due Date

2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Feb 22, 2018	Apr 03, 2018
3	PENDING, INSTITUTED	Feb 22, 2018	
4	D APPEARANCE / POWER OF ATTORNEY	Feb 26, 2018	
5	ANSWER	Mar 07, 2018	
▼ Type of Proceeding: Opposition			
Proceeding Number: 91232774		Filing Date: Feb 08, 2017	
Status: Pending		Status Date: Feb 08, 2017	
Interlocutory Attorney: MARY B MYLES			
Defendant			
Name: Manimal, LLC			
Correspondent Address: JAMES D WEINBERGER FROSS ZELNICK LEHRMAN & ZISSU PC 4 TIMES SQUARE, 17TH FLOOR NEW YORK NY UNITED STATES , 10036			
Correspondent e-mail: jweinberger@fztz.com			
Associated marks			
Mark	Application Status	Serial Number	Registration Number
MANIMAL	Opposition Pending	85511299	
Plaintiff(s)			
Name: Garan Incorporated, Garan Services Corp.			
Correspondent Address: ROBERT L EPSTEIN EPSTEIN DRANGEL LLP 60 E 42ND STREET, STE. 2520 NEW YORK NY UNITED STATES , 10165			
Correspondent e-mail: mail@ipcounselors.com			
Associated marks			
Mark	Application Status	Serial Number	Registration Number
GARANIMAL	REGISTERED AND RENEWED	72422254	954125
GARANIMALS	REGISTERED AND RENEWED	73561825	1393357
GARANIMALS	REGISTERED AND RENEWED	73561869	1393358
GARANIMALS	REGISTERED AND RENEWED	73250046	1162044
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77570759	3803956
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77978022	3706928
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77979530	3823199
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77981916	3994760
Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Feb 08, 2017	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Feb 08, 2017	Mar 20, 2017
3	PENDING, INSTITUTED	Feb 08, 2017	
4	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Mar 16, 2017	
5	SUSPENDED	Mar 16, 2017	
6	D MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	May 16, 2017	
7	SUSPENDED	May 16, 2017	
8	D CHANGE OF CORRESP ADDRESS	Jul 12, 2017	
9	D MOT FOR EXT W/ CONSENT	Jul 12, 2017	
10	EXTENSION OF TIME GRANTED	Jul 12, 2017	
11	D MOT FOR EXT W/ CONSENT	Aug 14, 2017	
12	EXTENSION OF TIME GRANTED	Aug 14, 2017	
13	D MOT FOR EXT W/ CONSENT	Sep 11, 2017	
14	EXTENSION OF TIME GRANTED	Sep 11, 2017	
15	P MOT TO AMEND PLEADING/AMENDED PLEADING	Sep 29, 2017	
16	TRIAL DATES RESET	Oct 02, 2017	
17	STIP FOR EXT	Oct 24, 2017	
18	EXTENSION OF TIME GRANTED	Oct 24, 2017	
19	ANSWER	Nov 09, 2017	
20	STIP FOR EXT	Jul 13, 2018	
21	EXTENSION OF TIME GRANTED	Jul 13, 2018	
22	D MOT FOR EXT W/ CONSENT	Oct 11, 2018	
23	EXTENSION OF TIME GRANTED	Oct 11, 2018	
▼ Type of Proceeding: Opposition			
Proceeding Number: 91219787		Filing Date: Dec 16, 2014	
Status: Terminated		Status Date: May 20, 2015	
Interlocutory Attorney: CHRISTEN M ENGLISH			
Defendant			
Name: DreamWorks Animation L.L.C.			
Correspondent Address: CHRISTOPHER C LARKIN SEYFARTH SHAW LLP 2029 CENTURY PARK EAST, SUITE 3500 LOS ANGELES CA UNITED STATES , 90067-3021			
Correspondent e-mail: clarkin@seyfarth.com , kelko@seyfarth.com			
Associated marks			
Mark	Application Status	Serial Number	Registration Number
DREAMWORKS MECHANIMALS	Abandoned - No Statement Of Use Filed	86323057	
Plaintiff(s)			
Name: Garan Services Corp.			
Correspondent Address: ROBERT L EPSTEIN EPSTEIN DRANGEL LLP ONE GRAND CENTRAL PLACE, 60 EAST 42ND STREET SUITE 2410 NEW YORK NY UNITED STATES , 10165			
Correspondent e-mail: mail@ipcounselors.com			
Associated marks			
Mark	Application Status	Serial Number	Registration Number
GARANIMALS	REGISTERED AND RENEWED	73250046	1162044
GARANIMALS	REGISTERED AND RENEWED	73561825	1393357
GARANIMALS	REGISTERED AND RENEWED	73561869	1393358
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77570759	3803956
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77978022	3706928
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77981916	3994760
385 KIDS FROM GARANIMALS	Registered	85980144	4430103
GARANIMALS EVERYDAY	Registered	85736979	4467507
EVERYDAY GARANIMALS	Registered	85736972	4472043

GARANIMALS	Section 8 and 15 - Accepted and Acknowledged		77979530	3823199
Prosecution History				
Entry Number	History Text	Date	Due Date	
1	FILED AND FEE	Dec 16, 2014		
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Dec 16, 2014	Jan 25, 2015	
3	PENDING, INSTITUTED	Dec 16, 2014		
4	D CHANGE OF CORRESP ADDRESS	Jan 16, 2015		
5	ANSWER	Jan 16, 2015		
6	MOT TO DIVIDE APPLICATION	Feb 04, 2015		
7	BOARD'S ORDER	Apr 02, 2015		
8	D CHANGE OF CORRESP ADDRESS	Apr 08, 2015		
9	MOT TO AMEND APPLICATION	Apr 15, 2015		
10	BD DECISION: DISMISSED W/ PREJ	May 20, 2015		
11	TERMINATED	May 20, 2015		
▼ Type of Proceeding: Opposition				
Proceeding Number: 91203611		Filing Date: Feb 01, 2012		
Status: Terminated		Status Date: Nov 07, 2014		
Interlocutory Attorney: BENJAMIN U OKEKE				
Defendant				
Name: The Mountain Corporation				
Correspondent Address: DANIEL J. BOURQUE BOURQUE & ASSOCIATES 835 HANOVER ST MANCHESTER NH UNITED STATES , 03104-5401				
Correspondent e-mail: dbourque@nhpatlaw.com				
Associated marks				
Mark	Application Status	Serial Number	Registration Number	
MANIMALS	Registered	85115633	4918335	
Plaintiff(s)				
Name: Garan Services Corp.				
Correspondent Address: ROBERT L EPSTEIN 60 EAST 42ND STREET, SUITE 2410 NEW YORK NY UNITED STATES , 10165				
Correspondent e-mail: mail@ipcounselors.com				
Associated marks				
Mark	Application Status	Serial Number	Registration Number	
GARANIMAL	REGISTERED AND RENEWED	72422254	954125	
GARANIMALS	REGISTERED AND RENEWED	73561825	1393357	
GARANIMALS	REGISTERED AND RENEWED	73561869	1393358	
GARANIMALS	REGISTERED AND RENEWED	73250046	1162044	
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77570759	3803956	
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77978022	3706928	
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77979530	3823199	
GARANIMALS	Section 8 and 15 - Accepted and Acknowledged	77981916	3994760	
Prosecution History				
Entry Number	History Text	Date	Due Date	
1	FILED AND FEE	Feb 01, 2012		
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Feb 01, 2012	Mar 12, 2012	
3	PENDING, INSTITUTED	Feb 01, 2012		
4	ANSWER	Mar 12, 2012		
5	STIPULATION FOR AN EXTENSION OF TIME	Jul 23, 2012		
6	EXTENSION OF TIME GRANTED	Jul 23, 2012		
7	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Dec 28, 2012		
8	SUSPENDED	Dec 28, 2012		
9	STIP TO SUSPEND PEND SETTLEMENT NEGOTNS	Feb 25, 2013		
10	SUSPENDED	Feb 25, 2013		
11	STIP TO SUSP PEND SETTL NEGOTIATIONS	Apr 26, 2013		
12	SUSPENDED	Apr 26, 2013		
13	STIP TO SUSP PEND SETTL NEGOTIATIONS	Jun 24, 2013		
14	SUSPENDED	Jun 24, 2013		
15	STIP TO SUSP PEND SETTL NEGOTIATIONS	Aug 23, 2013		
16	SUSPENDED	Aug 23, 2013		
17	STIP TO SUSP PEND SETTL NEGOTIATIONS	Oct 03, 2013		
18	SUSPENDED	Oct 03, 2013		
19	MOT TO AMEND APPLICATION	Feb 18, 2014		
20	MOT TO AMEND APPLICATION	Oct 14, 2014		
21	RESPONSE DUE 30 DAYS (DUE DATE)	Oct 22, 2014	Nov 21, 2014	
22	W/DRAW OF OPPOSITION	Oct 27, 2014		
23	BD DECISION: DISMISSED W/O PREJ	Nov 07, 2014		
24	TERMINATED	Nov 07, 2014		

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GARAN, INCORPORATED and GARAN SERVICES CORP. v. MANIMAL, LLC -- OPPOSITION NO. 91232774

OPPOSER'S FIRST NOTICE OF RELIANCE

EXHIBIT 9

Response to Suspension Inquiry or Letter of Suspension

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	85511299
LAW OFFICE ASSIGNED	LAW OFFICE 102
MARK SECTION	
MARK	http://tmng-al.uspto.gov/resting2/api/img/85511299/large
LITERAL ELEMENT	MANIMAL
STANDARD CHARACTERS	YES
USPTO-GENERATED IMAGE	YES
MARK STATEMENT	The mark consists of standard characters, without claim to any particular font style, size or color.
CANCELLATION PROCEEDING(S)	
Cancellation No(s). 92063423 has/have been terminated. The applicant hereby requests removal of this application from suspension for further action by the examining attorney.	
COMMENT(S)/REMARK(S)	
The trademark cancellation number 92063423 has been resolved. In addition, please find the attached joint consent agreement, which should resolve the issues the examining attorney noted regarding the MANIMALS trademark (Reg. No. 4918335).	
REMARKS FILE NAME(S)	
ORIGINAL PDF FILE	CAR_1661705123-023739873_..Manimals Consent agreement fully executed 8.25.16.pdf
CONVERTED PDF FILE(S) (2 pages)	\\TICRS\EXPORT16\IMAGEOUT16\855\112\85511299\xml13\RSI0002.JPG
	\\TICRS\EXPORT16\IMAGEOUT16\855\112\85511299\xml13\RSI0003.JPG
SIGNATURE SECTION	
RESPONSE SIGNATURE	/Kayla Jimenez/
SIGNATORY'S NAME	Kayla Jimenez
SIGNATORY'S POSITION	Attorney of Record, CA Bar Member
SIGNATORY'S PHONE NUMBER	8584882545
DATE SIGNED	09/07/2016
AUTHORIZED SIGNATORY	YES
FILING INFORMATION SECTION	
SUBMIT DATE	Thu Sep 08 02:04:04 EDT 2016
TEAS STAMP	USPTO/RSI-XXX.XXX.X.XXX-2 0160908020404213110-85511 299-5504279a89c08fc0786aa 1e48ed723aed50ddb64510dc2 8df2597327c5c7834-N/A-N/A -20160902023739873928

Under the Paperwork Reduction Act of 1995 no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PTO Form 1822 (Rev 10/2011)

OMB No. 0651-0050 (Exp 07/31/2017)

Response to Suspension Inquiry or Letter of Suspension

To the Commissioner for Trademarks:

Application serial no. **85511299** MANIMAL(Standard Characters, see <http://tmng-al.uspto.gov/resting2/api/img/85511299/large>) has been amended as follows:

CANCELLATION PROCEEDING(S)

Cancellation No(s). 92063423 has/have been terminated. The applicant hereby requests removal of this application from suspension for further action by the examining attorney.

Comment(s)/Remark(s):

The trademark cancellation number 92063423 has been resolved. In addition, please find the attached joint consent agreement, which should resolve the issues the examining attorney noted regarding the MANIMALS trademark (Reg. No. 4918335).

Original PDF file:

[CAR_1661705123-023739873_.Manimals Consent agreement fully executed 8.25.16.pdf](#)

Converted PDF file(s) (2 pages)

[Cancellation File1](#)

[Cancellation File2](#)

Response Suspension Inquiry Signature

Signature: /Kayla Jimenez/ Date: 09/07/2016

Signatory's Name: Kayla Jimenez

Signatory's Position: Attorney of Record, CA Bar Member

Signatory's Phone Number: 8584882545

The signatory has confirmed that he/she is an attorney who is a member in good standing of the bar of the highest court of a U.S. state, which includes the District of Columbia, Puerto Rico, and other federal territories and possessions; and he/she is currently the applicant's attorney or an associate thereof; and to the best of his/her knowledge, if prior to his/her appointment another U.S. attorney or a Canadian attorney/agent not currently associated with his/her company/firm previously represented the applicant in this matter: (1) the applicant has filed or is concurrently filing a signed revocation of or substitute power of attorney with the USPTO; (2) the USPTO has granted the request of the prior representative to withdraw; (3) the applicant has filed a power of attorney appointing him/her in this matter; or (4) the applicant's appointed U.S. attorney or Canadian attorney/agent has filed a power of attorney appointing him/her as an associate attorney in this matter.

Serial Number: 85511299

Internet Transmission Date: Thu Sep 08 02:04:04 EDT 2016

TEAS Stamp: USPTO/RSI-XXX.XXX.X.XXX-2016090802040421

3110-85511299-5504279a89c08fc0786aa1e48e

d723aed50ddb64510dc28df2597327c5c7834-N/

A-N/A-20160902023739873928

CONSENT AGREEMENT

1. The undersigned is an officer of The Mountain Corporation ("TMC"), which is the owner of U.S. federal trademark registration, Reg. No. 4918335, for MANIMALS in Class 25 ("TMC Mark").
2. The undersigned is an officer of Manimal, LLC ("Applicant"), who has applied for a federal trademark registration, Serial No. 85511299, for MANIMAL in Class 25 ("Applicant's Mark").
3. TMC uses the TMC Mark only on shirts featuring animals with humanoid characteristics ("TMC's Goods").
4. Applicant desires to use and register Applicant's Mark for "men's, women's and children's clothing, namely, tops, bottoms, pants, underwear, socks, T-shirts, hats, sweatpants, sweatshirts, long sleeve shirts, thermal tops, shorts, bathing suits, athletic uniforms, tank tops, wrist wraps, footwear, jackets, warm-up suits, belts, beanies, bandanas, wrist bands, sweaters, jeans, compression garments for athletic or other non-medical use, namely, compression socks, stockings, leggings, jerseys, vests, trousers, sleeves, and shirts" ("Applicant's Goods").
5. Both TMC and Applicant are knowledgeable, sophisticated parties. Both TMC and Applicant are familiar with the relevant marketing channels related to their respective industries. Applicant and TMC agree that Applicant's Goods and TMC's Goods would be considered substantially different by typical consumers, making any confusion unlikely. Even if Applicant's Goods and TMC's Goods were marketed in the same stores, confusion would be unlikely due to the differences in the respective goods and the normal understanding of consumers in the markets for the respective goods.
6. TMC agrees that it will amend the identification of goods for the TMC mark to, "shirts featuring animals with humanoid characteristics."
7. TMC agrees that Applicant may use and register Applicant's Mark for use in connection with Applicant's Goods.
8. Considering the differences between the respective products and the normal channels of trade and consumer understanding regarding the respective goods/services, public confusion is unlikely to arise from the Parties' use of their respective marks for the respective goods/services. To the extent necessary, Applicant and TMC will take reasonable measures to ensure that there is no likelihood of confusion.
9. Accordingly, TMC hereby consents to federal registration by Applicant of the Applicant's Mark for Applicant's Goods.
10. Except as otherwise provided herein, this Agreement shall have no effect on the registration, use, opposition, or litigation of other trademarks or service marks by either party.
11. The Parties agree that they have entered into this Agreement for purposes of cooperation.

Effective this 30th day of July 2016

THE MOUNTAIN CORPORATION

By

Name Ray Zierd

MANIMAL, LLC

By

Name George Corbo

Title CEO

Title CEO

GARAN, INCORPORATED and GARAN SERVICES CORP. v. MANIMAL, LLC -- OPPOSITION NO. 91232774

OPPOSER'S FIRST NOTICE OF RELIANCE

EXHIBIT 10

NOTE TO THE FILE

SERIAL NUMBER: 85511299

DATE: 11/30/2016

NAME: gagosto

NOTE:

Searched:

☐ Google
☐ Lexis/Nexis
☐ OneLook
☐ Wikipedia
☐ Acronym Finder
☐ Other:

Discussed ID with:

☐ Senior Atty
☐ Managing Atty

☐ Protest evidence reviewed

Checked:

☐ Geographic significance
☐ Surname
☐ Translation
☐ ID with ID/CLASS mailbox

Discussed Geo. Sig. with:

☐ Senior Atty
☐ Managing Atty

☐ Checked list of approved Canadian attorneys and agents

Discussed file with

Attorney/Applicant via:

☐ phone
☐ email

☐ Left message with
Attorney/Applicant

☐ Requested Law Library search
for:

☐ Issued Examiner's Amendment
and entered changes in TRADEUPS

<input type="checkbox"/> PRINT	<input type="checkbox"/> DO NOT PRINT	<input type="checkbox"/> Added design code in TRADEUPS
<input type="checkbox"/> Description of the mark		
<input type="checkbox"/> Translation statement	<input type="checkbox"/> Re-imaged standard character drawing	
<input type="checkbox"/> Negative translation statement		
<input type="checkbox"/> Consent of living individual	<input type="checkbox"/> Contacted TM MADRID ID/CLASS about misclassified definite ID	
<input type="checkbox"/> Changed TRADEUPS to:		

☒ Reviewed cosent agreement and Section 7 amendment to cited registration